

bestial selfishness, become the ruling passion among men, with all the finer emotions of life cast to the winds. Thus innocent men, women, and children have been made the plaything of malice, to be crumpled and crushed and tossed aside, as though made of some base material instead of in the likeness of God.

So, too, in many foreign lands we have the hydrahead of revolution uplifted and upon the right hand and the left law and order have been laughed to scorn, threats against the government have been uttered and conspiracies concocted, all aiming at the subversion of lawful authority and the rule of forces which are but the harbingers of chaos and anarchy.

In what respect is the situation in America to-day different?

In soviet Russia they shoot down men, women, and children in cold blood. In America they commit an act which, in the final analysis, if consummated, will freeze and starve to death thousands, yes, tens of thousands; and, of course, it will be the weaker ones, the women and children, who will suffer most.

Wherein, Mr. President, is the course of those strikers less heinous than that of their brother conspirators in Bolshevik Russia?

In this controversy the fundamental problem is not an economic one. It is not a question of wages or profits. The real issue presented involves a continuance of a government of law and order, the rule of the majority, the preservation of our cherished institutions, the protection of our homes and those dearer to us than life itself.

In the settlement of the matter we can not afford to compromise or temporize with outlaws. If any American official, high or low, shall, for personal or partisan advantage, engage in trafficking with the enemies of constitutional government, then shall his name be anathema through all the ages to come.

In all seriousness, Mr. President, we should ask ourselves: Are we becoming a Nation of outlaws? Is the day near at hand when our laws shall be flouted without let or hindrance? Shall the Constitution, so long held to be a sacred document and the protector of our liberties, be justly looked upon as a scrap of paper, to be derided and cast aside as a bauble not worth preserving? Are we in America on the threshold of an era when government shall be treated as an unwelcome thing, anarchy the only desirable state, and license the solitary rule of human conduct?

Never ended a great war so disastrously. Never before was a titanic struggle among men followed by such a state of world anarchy. Speaking in the Senate two years ago, September 3, 1917, I said:

I am willing, Mr. President, to help make the world safe for democracy, but I am not willing to make it safe for socialism. Socialism is no more the twin brother of true democracy than is autocracy.

I say here and now that it behooves us to prove that the war was not a lamentable failure, that those who gave up their precious lives did not make the supreme sacrifice in vain; that the war did in truth "make the world safe for democracy."

We have by no means demonstrated this. It remains for those in authority to demonstrate it. It remains for the executive branch of the Government to demonstrate it. It remains for this Congress to demonstrate it. If we fail, through personal fear or personal ambition, in the performance of this solemn duty, then sad, indeed, will be the lot of America in the years to come, and wretched will be the legacy which we will leave to our children and our children's children.

#### EXECUTIVE SESSION.

Mr. CUMMINS and Mr. LODGE addressed the Chair. The PRESIDING OFFICER (Mr. SUTHERLAND in the chair).

The Senator from Iowa.

Mr. CUMMINS. I move that the Senate take a recess until 11 o'clock to-morrow morning.

Mr. LODGE. Will the Senator withhold that motion? I desire a brief executive session in order to dispose of some nominations. Then, of course, I shall be glad to have the motion made.

Mr. CUMMINS. Very well; I withhold the motion for that purpose.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened.

#### RECESS.

Mr. LODGE. I move that the Senate take a recess until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 5 o'clock and 35 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, December 9, 1919, at 11 o'clock a. m.

#### NOMINATIONS.

*Executive nominations received by the Senate December 8, 1919.*

##### COLLECTOR OF INTERNAL REVENUE.

William E. Byerly, of Velva, N. Dak., to be collector of internal revenue, district of North Dakota. New office.

##### UNITED STATES DISTRICT JUDGE.

Charles E. Bunnell, of Fairbanks, Alaska, to be United States district judge, District of Alaska, division No. 4. A reappointment.

##### UNITED STATES MARSHAL.

Edward Albright, of Gallatin, Tenn., to be United States marshal, middle district of Tennessee.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate December 8, 1919.*

##### SECRETARIES OF EMBASSY OR LEGATION FOR PROMOTION IN THE DIPLOMATIC SERVICE.

###### FROM CLASS 2 TO CLASS 1.

Jefferson Caffery, of Louisiana.  
Franklin Mott Gunther, of Virginia.  
Warren D. Robbins, of Massachusetts.  
Frederick A. Sterling, of Texas.  
Hugh R. Wilson, of Illinois.

###### FROM CLASS 3 TO CLASS 2.

Elbridge Gerry Greene, of Massachusetts.  
Hallett Johnson, of New Jersey.  
Stewart Johnson, of Illinois.  
John F. Martin, of Florida.  
Oscar L. Milmore, of the District of Columbia.  
Richard E. Pennoyer, of California.  
Albert B. Ruddock, of Illinois.  
H. F. Arthur Schoenfeld, of the District of Columbia.  
Sumner Welles, of New York.  
John Campbell White, of Maryland.  
L. Lanier Winslow, of New York.

###### FROM CLASS 4 TO CLASS 3.

Philander L. Cable, of Illinois.  
Williamson S. Howell, jr., of Texas.  
G. Howland Shaw, of Massachusetts.  
Curtis C. Williams, jr., of Ohio.  
Joseph W. Carroll, of New York.  
Samuel S. Dickson, of New Mexico.  
J. Theodore Marriner, of Maine.  
Henry I. Dockweiler, of California.

###### CLASS 4.

F. Lamot Belin, of Waverly, Pa.  
Pierre de L. Boal, of Boalsburg, Pa.  
Curtis C. Jordan, of Eagle Rock, Calif.  
Robert F. Kelley, of Jamaica Plain, Mass.  
Benjamin Reath Riggs, of Philadelphia, Pa.  
Harry W. Robbins, of Minneapolis, Minn.  
Herman U. Sartorius, of Brooklyn, N. Y.  
William Shea, of Brockport, N. Y.  
Frederick V. Slocum, of Ann Arbor, Mich.  
George Wythe, of Weatherford, Tex.

#### HOUSE OF REPRESENTATIVES.

*Monday, December 8, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, touch the spark of divinity which Thou hast woven into our being with a flame of sacred fire, which shall illumine our minds, clarify our hearts, and bring us into closer communion with Thee.

Blessed are the pure in heart, for they shall see God—understand His purposes and be inspired to larger life, greater faithfulness and efficiency in the work He has given us to do.

There lies in the center of each man's heart,  
A longing and love for the good and pure;  
And if but an atom, or larger part,  
I tell you this shall endure—endure—  
After the body has gone to decay—  
Yea, after the world has passed away.

And nothing that ever was born or evolved,  
 Nothing created by light or force,  
 But deep in its system there lies dissolved  
 A shining drop from the Great Love Source;  
 A shining drop that shall live for aye—  
 Though kingdoms may perish and stars decay.

Amen.

The Journal of the proceedings of Friday, December 5, 1919, was read and approved.

REPORT OF NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS (S. DOC. NO. 166).

The SPEAKER laid before the House the following message from the President of the United States, which, with the accompanying document, was referred to the Committee on Appropriations and ordered printed:

To the Senate and House of Representatives:

In compliance with the provisions of the act of March 3, 1915, making appropriations for the naval service for the fiscal year ending June 30, 1916, I transmit herewith the Fifth Annual Report of the National Advisory Committee for Aeronautics for the fiscal year ended June 30, 1919.

The attention of the Congress is invited to the suggestion of the committee that the appendixes of the report be published with the report as a public document; and to the recommendations of the committee in the closing paragraphs of the report which have my approval.

WOODROW WILSON.

THE WHITE HOUSE,  
 5 December, 1919.

#### WOMAN-SUFFRAGE AMENDMENT.

The SPEAKER laid before the House a communication from the secretary of state of South Dakota announcing the ratification by the legislature of that State of the proposed amendment to the Constitution of the United States extending the right of suffrage to women.

#### LEAVE OF ABSENCE.

Mr. McLAUGHLIN of Nebraska, by unanimous consent, was granted leave of absence for one day on account of important business.

#### ANTIDUMPING LEGISLATION.

Mr. FORDNEY, from the Committee on Ways and Means, presented a report on the bill (H. R. 10918) to provide revenue and encourage domestic industries by the elimination, through the assessment of special duties, of unfair foreign competition, and for other purposes, which was referred to the Committee of the Whole House on the state of the Union and ordered printed.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3458. An act to make gold certificates of the United States payable to bearer on demand legal tender;

S. 2902. An act to amend section 5182, Revised Statutes of the United States; and

S. 2756. An act to prescribe the method of capital punishment in the District of Columbia.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 9822. An act to authorize the President of the United States to arrange and participate in an international conference to consider questions relating to international communication; and

H. R. 3754. An act to amend sections 8 and 21 of the copyright act, approved March 4, 1909.

#### SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 2756. An act to prescribe the method of capital punishment in the District of Columbia; to the Committee on the District of Columbia.

S. 3458. An act to make gold certificates of the United States payable to bearer on demand legal tender; to the Committee on Banking and Currency.

S. 2902. An act to amend section 5182, Revised Statutes of the United States; to the Committee on Banking and Currency.

#### MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries, who also informed the House

of Representatives that the President had, on December 5, 1919, approved and signed bill of the following title:

H. R. 9821. An act to amend an act entitled "An act relating to the Metropolitan police of the District of Columbia," approved February 28, 1901, and for other purposes.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that, December 6, they had presented to the President of the United States for his approval the following bill:

H. R. 6857. An act to authorize the change of the name of the steamer *Charlotte Graveraet Breitung* to *T. K. Maher*.

#### LEAVE TO ADDRESS THE HOUSE.

Mr. WHITE of Maine. Mr. Speaker, I ask unanimous consent that on January 5, after the reading of the Journal and disposition of matters on the Speaker's table, and subject to the right of way of conference reports and other privileged matters, I may be permitted to address the House for 15 minutes, and that on the conclusion of my remarks the gentleman from Massachusetts [Mr. LUCE] may speak for a like time.

The SPEAKER. The gentleman from Maine asks unanimous consent that on January 5, after the privileged business, he be allowed to address the House for 15 minutes, and that thereupon the gentleman from Massachusetts [Mr. LUCE] be allowed the same amount of time. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, may I ask the gentleman from Maine upon what subject?

Mr. WHITE of Maine. January 5 is the one hundredth anniversary of the adoption of the constitution of the State of Maine, that marked the separation of that State from the State of Massachusetts.

Mr. BLANTON. I have no objection as to that. Now, as to the other gentleman—

Mr. WHITE of Maine. He desires to speak on the same subject.

Mr. BLANTON. I have no objection.

#### STANDARD OF WEIGHTS AND MEASURES.

The SPEAKER. On Friday last, before the House adjourned, the bill before the House was H. R. 9755, relating to the standard of weights and measures. The previous question was ordered and the reading of the engrossed bill was demanded. Is that reading still desired?

Mr. BLANTON. Mr. Speaker, I withdraw the request.

The SPEAKER. The question is on the third reading of the bill.

The bill was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. BANKHEAD and Mr. BLANTON demanded a division.

The House divided; and there were—ayes 67, noes 17.

Mr. LINTHICUM. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Maryland makes the point that no quorum is present. The Chair will count. [After counting.] No quorum is present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absent Members, and the Clerk will call the roll. Those who are in favor of the passage of the bill will, as their names are called, answer "yea," and those opposed will answer "nay."

The question was taken; and there were—ayes 222, noes 80, answered "present" 1, not voting 129, as follows:

#### YEAS—222.

Alexander	Cooper	French	Hickey
Anderson	Copley	Fuller, Ill.	Hicks
Andrews, Nebr.	Cullen	Fuller, Mass.	Houghton
Anthony	Curry, Calif.	Gallagher	Howard
Ashbrook	Dale	Gallivan	Hulings
Babka	Darrow	Gandy	Hull, Iowa
Bee	Davey	Gandy	Ireland
Begg	Davis, Minn.	Gard	Johnson, Wash.
Benham	Dickinson, Iowa	Garland	Johnston, N. Y.
Black	Drane	Garrett	Jones, Pa.
Blanton	Dunbar	Goldfogle	Jones, Tex.
Boles	Dunn	Good	Juhl
Box	Dyer	Goodall	Keller
Briggs	Eagan	Green, Iowa	Kelly, Pa.
Brooks, Ill.	Echols	Greene, Mass.	Kennedy, Iowa
Brooks, Pa.	Elliott	Greene, Vt.	Kettner
Brambaugh	Elston	Griest	Kless
Butler	Emerson	Griffin	Kinkaid
Caldwell	Esch	Hadley	Kitchin
Campbell, Kans.	Evans, Nebr.	Hardy, Colo.	Klecza
Cannon	Fess	Hardy, Tex.	Knutson
Cantrill	Fields	Harrell	Kraus
Caraway	Fisher	Harrison	LaGuardia
Carrs	Flood	Hastings	Lampert
Carter	Focht	Hawley	Lanham
Casey	Fordney	Hayden	Layton
Chidbloom	Foster	Hays	Lea, Calif.
Classon	Freeman	Hickey	Linthicum



Little	Monahan, Wis.	Reed, W. Va.	Sweet
Loneragan	Mondell	Ricketts	Tague
Longworth	Mooney	Riddick	Taylor, Colo.
Luce	Moore, Ohio	Robison, Ky.	Taylor, Tenn.
Luhning	Moore, Ind.	Rogers	Temple
McAndrews	Morgan	Rose	Tilson
McArthur	Mott	Sabath	Timberlake
McCulloch	Murphy	Sanders, N. Y.	Tincher
McFadden	Neely	Sanford	Tinkham
McGlennon	Newton, Minn.	Saunders, Va.	Towner
McKenzie	O'Connell	Scott	Treadway
McKinley	Ogden	Sells	Vaile
McKinley	Olney	Shreve	Vestal
McLaughlin, Mich.	Paige	Siegel	Volstead
McLaughlin, Nebr.	Parker	Sims	Walters
McPherson	Parish	Sinclair	Ward
MacCrate	Peters	Sinnot	Watkins
MacGregor	Platt	Slomp	Watson, Pa.
Madden	Purnell	Smith, Idaho	Wellington
Magee	Radcliffe	Smith, Mich.	Welty
Maher	Rainey, H. T.	Smith, N. Y.	White, Me.
Mann, Ill.	Rainey, J. W.	Snyder	Williams
Mansfield	Raker	Stedman	Woods, Va.
Mapes	Ramsayer	Steenerson	Woodward
Mays	Randall, Calif.	Stephens, Ohio	Yates
Mead	Randall, Wis.	Stiness	Young, N. Dak.
Michener	Reavis	Strong, Kans.	
Minahan, N. J.	Reber	Strong, Pa.	

## NAYS—80.

Almon	Currie, Mich.	Lufkin	Rouse
Aswell	Davis, Tenn.	McDuffie	Rucker
Bankhead	Dent	Major	Sherwood
Barkley	Dewalt	Mann, S. C.	Slisson
Bell	Dickinson, Mo.	Martin	Smith, Ill.
Benson	Dominick	Montague	Smithwick
Blackmon	Doughton	Moon	Stegall
Bland, Mo.	Evans, Mont.	Nelson, Mo.	Stephens, Miss.
Bland, Va.	Evans, Nev.	Oldfield	Stevenson
Brand	Glynn	Oliver	Stoll
Buchanan	Goodwin, Ark.	Overstreet	Thomas
Byrnes, S. C.	Hefflin	Padgett	Tillman
Byrnes, Tenn.	Holland	Park	Vinson
Candler	Hull, Tenn.	Pou	Walsh
Clark, Fla.	Jeffers	Quin	Weaver
Clark, Mo.	Johnson, Miss.	Rainey, Ala.	Whaley
Coady	Kincheloe	Rayburn	Wilson, La.
Connally	Lankford	Rhodes	Wilson, Pa.
Cramton	Larsen	Robinson, N. C.	Wingo
Crisp	Lee, Ga.	Romjue	Wright

## ANSWERED "PRESENT"—1.

Dowell

## NOT VOTING—129.

Ackerman	Edmonds	Kennedy, R. I.	Rubey
Andrews, Md.	Ellsworth	King	Sanders, Ind.
Ayres	Fairfield	Kreider	Sanders, La.
Bacharach	Ferris	Langley	Schall
Baer	Frear	Lazarro	Scully
Barbour	Garner	Leibach	Sears
Bland, Ind.	Godwin, N. C.	Leshner	Small
Booher	Goodykoontz	McClintic	Snell
Bowers	Gould	McKeown	Steele
Brinson	Graham, Pa.	McLane	Sullivan
Britten	Graham, Ill.	Mason	Summers, Wash.
Browne	Hamill	Merritt	Summers, Tex.
Browning	Hamilton	Miller	Swope
Burdick	Haskell	Moore, Pa.	Taylor, Ark.
Burke	Haugen	Moore, Va.	Thompson
Burroughs	Hernandez	Morin	Upshaw
Campbell, Pa.	Hersman	Mudd	Vare
Carew	Hill	Nelson, Wis.	Venable
Christopherson	Hoch	Newton, Mo.	Voigt
Cleary	Huddleston	Nicholls, S. C.	Watson
Cole	Hudspeth	Nichols, Mich.	Watson, Va.
Collier	Humphreys	Nolan	Webster
Costello	Husted	O'Connor	Wheeler
Crago	Hutchinson	Osborne	White, Kans.
Crowther	Igoe	Pell	Wilson, Ill.
Dallinger	Jacoway	Phelan	Winslow
Dempsey	James	Porter	Wise
Denison	Johnson, Ky.	Ramsey	Wood, Ind.
Donovan	Johnson, S. Dak.	Reed, N. Y.	Young, Tex.
Dooling	Kahn	Riordan	Zihlman
Doremus	Kearns	Rodenberg	
Dupré	Kelley, Mich.	Rowan	
Eagle	Kendall	Rowe	

So the bill was passed.

The Clerk announced the following pair:

Until further notice:

Mr. THOMPSON with Mr. JACOWAY.

Mr. WHITE of Kansas with Mr. PELL.

Mr. SANDERS of Indiana with Mr. WATSON of Virginia.

Mr. MILLER with Mr. HOLLAND.

Mr. NOLAN with Mr. IGOE.

Mr. NELSON of Wisconsin with Mr. MCCLINTIC.

Mr. DENISON with Mr. FERRIS.

Mr. MORIN with Mr. CAMPBELL of Pennsylvania.

Mr. MUDD with Mr. BRINSON.

Mr. KAHN with Mr. DUPRÉ.

Mr. COSTELLO with Mr. SEARS.

Mr. NEWTON of Missouri with Mr. BOOHER.

Mr. ZIHLMAN with Mr. GODWIN of North Carolina.

Mr. KEARNS with Mr. DOREMUS.

Mr. KELLEY of Michigan with Mr. DOOLING.

Mr. KENNEDY of Rhode Island with Mr. DONOVAN.

Mr. NICHOLS of Michigan with Mr. AYRES.

Mr. CRAGO with Mr. SCULLY.  
 Mr. KING with Mr. COLLIER.  
 Mr. CROWTHER with Mr. SANDERS of Louisiana.  
 Mr. ACKERMAN with Mr. YOUNG of Texas.  
 Mr. BACHARACH with Mr. WISE.  
 Mr. BLAND of Indiana with Mr. VENABLE.  
 Mr. DALLINGER with Mr. RUBEY.  
 Mr. DOWELL with Mr. ROWAN.  
 Mr. EDMONDS with Mr. RIORDAN.  
 Mr. OSBORNE with Mr. MOORE of Virginia.  
 Mr. BOWERS with Mr. UPSHAW.  
 Mr. PORTER with Mr. McLANE.  
 Mr. FREAR with Mr. PHELAN.  
 Mr. LANGLEY with Mr. CLEARY.  
 Mr. GOULD with Mr. O'CONNOR.  
 Mr. RAMSEY with Mr. McKEOWN.  
 Mr. BROWNING with Mr. TAYLOR of Arkansas.  
 Mr. RODENBERG with Mr. LESHNER.  
 Mr. GRAHAM of Pennsylvania with Mr. NICHOLS of South Carolina.

Mr. BURDICK with Mr. SUMNERS of Texas.

Mr. ROWE with Mr. LAZARO.

Mr. VARE with Mr. JOHNSON of Kentucky.

Mr. BURKE with Mr. SULLIVAN.

Mr. WASON with Mr. HUMPHREYS.

Mr. HASKELL with Mr. HERSMAN.

Mr. HUSTED with Mr. HERNANDEZ.

Mr. HUTCHINSON with Mr. HAMILL.

Mr. MERRITT with Mr. CAREW.

Mr. JOHNSON of South Dakota with Mr. EAGLE.

Mr. BURROUGHS with Mr. STEELE.

Mr. CHRISTOPHERSON with Mr. SMALL.

Mr. WHEELER with Mr. HUDSPETH.

Mr. WINSLOW with Mr. HUDDLESTON.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

On motion of Mr. VESTAL, a motion to reconsider the vote whereby the bill was passed was laid on the table.

## EXTENSION OF REMARKS.

Mr. BENSON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on this bill.

The SPEAKER. The gentleman from Maryland asks unanimous consent to revise and extend his remarks in the RECORD on this bill. Is there objection?

There was no objection.

## STANDARD WEIGHTS AND MEASURES, DISTRICT OF COLUMBIA.

Mr. MAPES. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 8067) to establish standard weights and measures for the District of Columbia; to define the duties of the superintendent of weights, measures, and markets of the District of Columbia; and for other purposes.

The SPEAKER. The gentleman from Michigan moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8067, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 8067) to establish standard weights and measures for the District of Columbia; to define the duties of the superintendent of weights, measures, and markets of the District of Columbia; and for other purposes.

Mr. MAPES. Mr. Speaker, pending the motion, I would like to see if we can agree upon the time for general debate. The gentleman from Missouri [Mr. ROMJUE] I believe is the ranking minority member of the committee present. I have had no requests for time on this side, but I think perhaps I ought to ask for 15 minutes in which to explain the bill. If that is satisfactory to the gentleman from Missouri, I will ask for one-half hour's general debate.

Mr. ROMJUE. Yes.

Mr. MAPES. One-half to be controlled by the gentleman from Missouri [Mr. ROMJUE] and one-half by myself.

Mr. ROMJUE. I have had no requests for any time on this side thus far.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. MAPES. Yes.

## LEAVE TO ADDRESS THE HOUSE.

Mr. MONDELL. Mr. Speaker, some days ago the gentleman from Idaho [Mr. FRENCH] informed me that he had been giving some consideration to the form of the soviet government of Russia, and at some convenient time he desired to discuss that matter before the House for about 40 minutes. He suggested

that he would be very glad to get in under general debate this morning; but, on taking up the matter with the chairman of the Committee on the District of Columbia, he expressed a disinclination to have a considerable time for general debate on the bill, and I suggested to the gentleman from Idaho that it might be possible for him to secure unanimous consent to address the House this afternoon after the conclusion of this measure, if there shall be time, on the subject referred to; and if the gentleman from Michigan [Mr. MAPES] will allow me at this time, I should like to submit a unanimous-consent request, pending his request, that the gentleman from Idaho may, after the passage of this bill this afternoon, should there be time, be given the opportunity to address the House for 40 minutes on the subject named.

Mr. CLARK of Missouri. If the gentleman will explain the government they have got over in Russia, I will have no objection.

Mr. MONDELL. I have not talked with the gentleman in regard to his speech, but I imagine that he has given the matter careful consideration, and I have no doubt that what he will say will be interesting to the House.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that at the conclusion of the consideration of this bill the gentleman from Idaho [Mr. FRENCH] may address the House for 40 minutes on the subject of the soviet government in Russia.

Mr. BLANTON. Mr. Speaker, reserving the right to object—

Mr. GARD. Mr. Speaker, I wish to ask the gentleman from Wyoming if there is to be any public business transacted after we shall have finished this bill, H. R. 8067?

Mr. MONDELL. I do not anticipate that there would be time for any other public business after this bill is disposed of and the speech of the gentleman from Idaho has been made, if the House gives the gentleman the opportunity to make it.

Mr. KITCHIN. If the gentleman from Idaho proposes to speak this afternoon, will we sit later than 8 or 9 o'clock tonight? This bill is of 23 pages.

Mr. GALLIVAN. Mr. Speaker, I object.

#### STANDARD WEIGHTS AND MEASURES, DISTRICT OF COLUMBIA.

The SPEAKER. Objection is made. The gentleman from Michigan [Mr. MAPES] asks unanimous consent that the general debate be limited to 30 minutes, half to be controlled by himself and half by the gentleman from Missouri [Mr. ROMJUE]. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Michigan, that the House resolve itself into Committee of the Whole House on the state of the Union.

The motion was agreed to.

The SPEAKER. The gentleman from Kansas [Mr. CAMPBELL] will please take the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8067, with Mr. CAMPBELL of Kansas in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8067, a bill to establish standard weights and measures for the District of Columbia. The Clerk will report the bill.

The Clerk read the title of the bill, as follows:

A bill (H. R. 8067) to establish standard weights and measures for the District of Columbia; to define the duties of the superintendent of weights, measures, and markets of the District of Columbia; and for other purposes.

Mr. MAPES. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. GARD. I object, Mr. Chairman. I think the bill should be read.

The CHAIRMAN. The gentleman from Ohio objects. The Clerk will read.

The Clerk read as follows:

*Be it enacted, etc.,* That there is hereby created an executive department in the government of the District of Columbia which shall be known as the department of weights, measures, and markets. Such department shall be in charge of a superintendent of weights, measures, and markets, who shall be appointed by and be under the direction and control of the Commissioners of the District of Columbia and shall receive a salary of \$2,500 per annum. He shall have the custody and control of such standard weights and measures of the United States as are now or shall hereafter be provided by the District of Columbia, which shall be the only standards for weights and measures in said District.

The commissioners are also authorized to appoint, on the recommendation of the superintendent, such assistants, inspectors, and other employees for which Congress may from time to time provide.

SEC. 2. That the superintendent shall, before entering upon the performance of his duties, give bond to the District of Columbia in the penal sum of \$5,000, signed by two sureties or by a bonding company, to be approved by the commissioners, conditioned on the faithful discharge of the duties of his office, and shall take and subscribe an oath or affirmation before the commissioners that he will faithfully and impartially discharge the duties of his office, which bond and oath shall be deposited with the commissioners.

SEC. 3. That the superintendent and, under his direction, his assistants and inspectors, shall have exclusive power to perform all the duties provided in this act. They shall, at least every six months, and oftener when the superintendent thinks proper, inspect, test, try, and ascertain whether or not they are correct, all weights, scales, beams, measures of every kind, instruments or mechanical devices for weighing or measuring, and all tools, appliances, or accessories connected with any or all such instruments or mechanical devices for weighing or measuring used or employed in the District of Columbia by any owner, agent, lessee, or employee in determining the weight, size, quantity, extent, area, or measurement of quantities, things, produce, or articles of any kind offered for transportation, sale, barter, exchange, hire, or award, or the weight of persons for a charge or compensation, and shall approve, seal, and stamp or mark, in the manner prescribed by the commissioners, such devices or appliances as conform to the standards kept in the office of the superintendent, and shall seize and destroy or mark, stamp, or tag with the word "condemned" such as do not conform to the standards, and shall also mark the date of such condemnation upon the same. Any weight, scale, beam, measure, weighing or measuring device of any kind which shall be found to be unsuitable for the purpose for which it is intended to be used or of defective construction or material shall be condemned. No person shall use or, having the same under his control, shall permit to be used for any of the purposes enumerated in this act any weight, scale, beam, measure, weighing or measuring device whatsoever unless the same has been approved in accordance with the provisions of this act within six months prior to such use.

Any person who shall acquire or have in his possession after the passage of this act any unapproved scale, weighing instrument, or non-portable measure or measuring device, subject to inspection or test under the provisions of this act, shall notify the superintendent in writing at his office, giving a general description thereof, and the street and number or other location where same may be found, and it shall be the duty of the superintendent to cause the same to be inspected and tested within a reasonable time after receipt of such notice. Any person who shall acquire or have in his possession after the passage of this act any unapproved portable measure or measuring device subject to inspection or test shall cause the same to be taken to the office of the superintendent for inspection and test.

Every peddler, hawker, huckster, transient merchant, or other person with no fixed or established place of business shall, before using any weight, scale, measure, weighing or measuring device for any of the purposes enumerated in this act, cause the same to be taken to the office of the superintendent for inspection and test semiannually, and shall not use for the purposes herein mentioned any weight, scale, measure, weighing or measuring device which has not been approved within six months prior to the time of such use.

Nothing herein shall be construed to require the superintendent to test any weighing or measuring device belonging to the United States.

SEC. 4. That no person shall use or, having the same under his control, permit to be used, any weight, scale, measure, weighing or measuring device, or any attachment or part thereof after the same has been altered or repaired without the same having been inspected and approved as provided herein after such alterations or repairs have been made, and no person shall alter, obliterate, detach, obscure, or conceal any condemnation seal, stamp, mark, tag, or label, attached or impressed by the superintendent or any of his assistants or inspectors, without written permission of the superintendent.

SEC. 5. That no person shall neglect, fail, or refuse to exhibit any weight, scale, beam, measure, weighing or measuring device, subject to inspection or test under the provisions of this act, to the superintendent or any of his assistants or inspectors for the purpose of inspection and test, and no person shall in any manner obstruct, hinder, or molest the superintendent or any of his assistants, inspectors, or other employees in the performance of their duties.

SEC. 6. That the superintendent shall keep in his office a record of weighing and measuring devices inspected, which record shall show the type of device, the name and address of the owner, the date of inspection, and whether the same was approved or condemned. Such record shall be open to the public during regular office hours.

SEC. 7. That no person shall sell, offer for sale, keep, or expose for sale anywhere in the District of Columbia any commodity of any kind as a weight, measure, or numerical count greater than the actual or true weight, measure, or numerical count thereof, and no person shall take or attempt to take more than the actual and true weight, measure, or numerical count of any commodity, when, as buyer, he is permitted by the seller to determine the weight, measure, or numerical count thereof.

SEC. 8. That when any commodity is sold by weight it shall be net weight. When any commodity, except coal, is sold by the ton, it shall be understood to mean 2,000 pounds avoirdupois. Coal shall be sold by the long ton, consisting of 2,240 pounds avoirdupois.

SEC. 9. That no person, firm, or corporation shall erect, operate, or maintain, or cause to be erected, operated, or maintained within the District of Columbia any coin-in-the-slot machine or automatic vending device without placing in charge thereof some responsible person. No such machine shall be maintained for use when the same is not in perfect working order, and the person in charge as well as the owner of such machine or device shall be held responsible for operating or maintaining any such machine or device which is not in perfect working order. A sign or placard shall be placed on every such machine or device in a conspicuous place and shall contain the name of the owner and of the person in charge of such machine or device, and shall state that the person in charge of such machine or device will refund to any person money deposited by him for which the commodity or service promised expressly or impliedly has not been received, and such person shall so refund such money.

SEC. 10. That every person, firm, or corporation shall, when a sales ticket is given with a purchase, cause such sales ticket to show the correct name and address of such person, firm, or corporation and the weight, measure, or numerical count, as the case may be, of each commodity sold to such purchaser, and every such person, firm, or corporation is hereby required to deliver such sales ticket to such purchaser when requested to do so by such purchaser at the time of the sale.



Sec. 11. That it shall be unlawful to sell or offer for sale in the District of Columbia any coal, charcoal, or coke in any other manner than by weight. No person shall deliver or attempt to deliver any coal, charcoal, or coke without accompanying same by delivery ticket and a duplicate thereof, the original of which shall be in ink or other indelible substance, on each of which shall be expressed distinctly in pounds, avoirdupois, the gross weight of the load, the tare of the delivery vehicle or receptacle, and the net weight of coal, charcoal, or coke contained in the vehicle or receptacle used in making delivery, with the name and address of the purchaser and the name and address of the person, firm, or corporation from whom or which purchased. Upon demand of the superintendent or any of his assistants or inspectors upon the person in charge of the vehicle of delivery, the original of these tickets shall be surrendered to the official making such demand. The duplicate ticket shall be delivered to the purchaser of said coal, charcoal, or coke, or to his agent or representative, at the time of delivery of such coal, charcoal, or coke. Upon demand of the superintendent or any of his assistants or inspectors, or of the purchaser or intended purchaser, his agent or representative, the person delivering such coal, charcoal, or coke shall convey the same forthwith to some public scale, or to any legally approved private scale in the District of Columbia, the owner of which shall consent to its use, and shall permit the verifying of the weight, and after the delivery of such coal, charcoal, or coke shall return forthwith with the wagon or other conveyance used to the same scale and permit to be verified the weight of the wagon or other conveyance: *Provided*, That when coal, charcoal, or coke is sold in a quantity less than 280 pounds and is not weighed in a wagon, cart, or other vehicle, it shall be sufficient for the seller to deliver to the purchaser, his agent or representative, a ticket showing the name and address of the vendor, the name of the purchaser, and the true net weight of the coal, charcoal, or coke so sold or delivered: *Provided further*, That when coal, charcoal, or coke is sold in packages of 50 pounds or less, it shall be sufficient to plainly mark each package with the name of the person, firm, or corporation making such package and the true net weight of the coal, charcoal, or coke contained therein.

No coal, charcoal, or coke shall be sold which contains at the time the weight is taken more water or other liquid substance than is due to the natural condition of the coal, charcoal, or coke.

Every vendor of coal, charcoal, or coke shall cause his name and address to be conspicuously displayed on both sides of every vehicle used by or for him for the sale or delivery of coal, charcoal, or coke.

Sec. 12. That it shall be unlawful to sell, within the District of Columbia, any ice in any manner than by weight, such weight to be ascertained at the time of delivery of such ice, and every person, or in case of a firm, copartnership, or corporation, the person in charge of its business in the District of Columbia, engaged in the sale of ice shall keep on each of his or its wagons or other vehicles used in the sale or delivery of ice, while in use, a scale suitable for weighing ice which has been tested and approved in accordance with the provisions of this act. Every scale used for weighing ice in making sales in quantities of 100 pounds or less shall have graduations of 1 pound or less. Scales used for weighing ice in making sales in quantities of more than 100 pounds may have graduations of 5 pounds or less.

Sec. 13. That the standard loaf of bread manufactured for sale, sold, offered or exposed for sale in the District of Columbia shall weigh 1 pound avoirdupois, but bread may also be manufactured for sale, sold, offered or exposed for sale in loaves of one-half pound, or in multiples of 1 pound, but shall not be manufactured for sale, sold, offered or exposed for sale in the District of Columbia shall have affixed thereon in a conspicuous place a label at least 1 inch square, or, if round, at least 1 inch in diameter, upon which label there shall be printed in plain bold-face Gothic type, not smaller than 12-point, the weight of the loaf in pound, pounds, or fraction of a pound, as the case may be, whether the loaf be a standard loaf or not, the letters and figures of which shall be printed in black ink upon white paper. The business name and address of the maker, baker, or manufacturer of the loaf shall also be plainly printed on each such label. Every seller of bread in the District of Columbia shall keep a suitable scale which shall have been inspected and approved in accordance with the provisions of this act in a conspicuous place in his bakery, bakeshop, or store, or other place where he is engaged in the sale of bread, and shall, whenever requested by the buyer, and in the presence of the buyer, weigh the loaf or loaves of bread sold or offered for sale. Nothing herein shall apply to crackers, pretzels, buns, rolls, scones, or loaves of fancy bread weighing less than one-fourth of 1 pound avoirdupois, or to what is commonly known as stale bread, provided the seller shall, at the time the sale is made, expressly state to the buyer that the bread so sold is stale bread: *Provided*, That any loaf of bread weighing within 10 per cent in excess or within 4 per cent less than standard weight shall be deemed of legal weight.

Sec. 14. That bottles or jars used for the sale of milk or cream shall be of the capacity of 1 gallon, half-gallon, 3 pints, 1 quart, 1 pint, half-pint, or 1 gill when filled to the bottom of the cap seat, stopple, or other designating mark. Such bottles or jars shall have clearly blown or otherwise permanently marked in the side of each such bottle or jar or printed on the cap or stopple the name and address of the person, firm, or corporation who or which shall have bottled such milk or cream. Any person who uses, for the purpose of selling milk or cream, bottles or jars which do not comply with the requirements of this section shall be deemed guilty of using false measure.

Sec. 15. That standard containers for the sale of fruits, vegetables, and other dry commodities in the District of Columbia shall be as follows:

(a) That standard barrel for fruits and vegetables, other than cranberries, shall be of the following dimensions when measured without distention of its parts: Length of stave, 28½ inches; diameter of heads, 17½ inches; distance between heads, 26 inches; circumference of bulge, 64 inches, outside measurement; and the thickness of staves not greater than four-tenths of an inch: *Provided*, That any barrel of a different form having a capacity of 7,056 cubic inches shall be a standard barrel. The standard barrel for cranberries shall be of the following dimensions when measured without distention of its parts: Length of staves, 28½ inches; diameter of head, 16½ inches; distance between heads, 25½ inches; circumference of bulge, 58½ inches, outside measurement; and the thickness of staves not greater than four-tenths of an inch. It shall be unlawful to sell, offer, or expose for sale in the District of Columbia a barrel containing fruits or vegetables or any other dry commodity of less capacity than the standard barrels defined in this act, or subdivisions thereof known as the third, half, and three-quarter barrel.

(b) Standards for Climax baskets for grapes and other fruits and vegetables shall be the 2-quart basket, 4-quart basket, and 12-quart basket, respectively.

The standard 2-quart Climax basket shall be of the following dimensions: Length of bottom piece, 9½ inches; width of bottom piece, 3½ inches; thickness of bottom piece, three-eighths of an inch; height of basket, 2½ inches, outside measurement; top of basket, length 11 inches and width 5 inches, outside measurement. Basket to have a cover 5 by 11 inches, when a cover is used.

The standard 4-quart Climax basket shall be of the following dimensions: Length of bottom piece, 12 inches; width of bottom piece, 4½ inches; thickness of bottom piece, three-eighths of an inch; height of basket, 4½ inches, outside measurement; top of basket, length 14 inches and width 6½ inches, outside measurement. Basket to have cover 6½ inches by 14 inches, when cover is used.

The standard 12-quart Climax basket shall be of the following dimensions: Length of bottom piece, 18 inches; width of bottom piece, 6½ inches; thickness of bottom piece, seven-sixteenths of an inch; height of basket, 7½ inches, outside measurement; top of basket, length 19 inches and width 9 inches, outside measurement. Basket to have cover 9 inches by 19 inches, when cover is used.

(c) The 6-basket carrier crate for fruits and vegetables shall contain six 4-quart baskets, each basket having a capacity of 268½ cubic inches.

(d) The 4-basket flat crate for fruits and vegetables shall contain four 3-quart baskets, each basket having a capacity of 201½ cubic inches.

(e) The standard box, basket, or other container for berries, cherries, shelled peas, shelled beans, and other fruits and vegetables of similar size shall be of the following capacities standard dry measure: One-half pint, pint, and quart. The one-half pint shall contain 16½ cubic inches; the pint shall contain 33½ cubic inches; the quart shall contain 67½ cubic inches.

(f) Standard lug boxes for fruits and vegetables shall be the one-half bushel box and the 1-bushel box.

The one-half bushel lug box shall be of the following inside dimensions: Length, 17 inches; width, 10½ inches; depth, 6 inches.

The 1-bushel lug box shall be of the following inside dimensions: Length, 20½ inches; width, 13 inches; depth, 8 inches; and no lug box of other than the foregoing dimensions shall be used in the District of Columbia.

(g) The standard hampers for fruits and vegetables shall be the 1-peck hamper, one-half bushel hamper, 1-bushel hamper, and 1½ bushel hamper.

The 1-peck hamper shall contain 537½ cubic inches; the one-half bushel hamper shall contain one thousand and seventy-five and twenty-one one-hundredths cubic inches. The 1-bushel hamper shall contain two thousand one hundred and fifty and forty-two one-hundredths cubic inches, and the 1½-bushel hamper shall contain three thousand two hundred and twenty-five and sixty-three one-hundredths cubic inches.

(h) The standard round-stave baskets for fruits and vegetables shall be the one-half bushel basket, 1-bushel basket, 1½-bushel basket, and 2-bushel basket.

The one-half bushel basket shall contain one thousand and seventy-five and twenty-one one-hundredths cubic inches. The 1-bushel basket shall contain two thousand one hundred and fifty and forty-two one-hundredths cubic inches. The 1½-bushel basket shall contain three thousand two hundred and twenty-five and sixty-three one-hundredths cubic inches, and the 2-bushel basket shall contain four thousand three hundred and eighty-four one-hundredths cubic inches.

(i) The standard apple box shall contain 2,173½ cubic inches and be of the following inside dimensions: Length, 18 inches; width, 11½ inches; depth, 10½ inches.

(j) The standard pear box shall be of the following inside dimensions: Length, 18 inches; width, 11½ inches; depth, 8½ inches.

(k) The standard onion crate shall be of the following inside dimensions: Length, 19½ inches; width, 11½ inches; depth, 9½ inches.

(l) No person shall sell, offer, or expose for sale in the District of Columbia any fruits, vegetables, grain, or similar commodities in any manner except in the standard containers herein prescribed or by weight or numerical count; and no person shall sell, offer, or expose for sale, except by weight or numerical count, in the District of Columbia any commodity in any container herein prescribed which does not contain, at the time of such offer, exposure, or sale, the full capacity of such commodity compactly filled: *Provided*, That fresh beets, onions, turnips, rhubarb, and other similar vegetables, usually and customarily sold by the bunch, may be sold by the bunch.

All kale, spinach, and other similar leaf vegetables shall be sold at retail by net weight.

Sec. 16. That nothing in this act contained shall be construed as permitting the use as a dry measure or substituting for a dry measure any of the following containers: Barrels, boxes, lug boxes, crates, hampers, baskets, or climax baskets; and the use of any such container as a measure is hereby expressly prohibited, and the user shall be fined or imprisoned as herein provided for other violations of this act.

Sec. 17. That a cord of wood shall contain 128 cubic feet. Wood more than 8 inches in length shall be sold by the cord or fractional part thereof, and when delivered shall contain 128 cubic feet per cord when evenly and compactly stacked. Split wood, 8 inches or less in length, may be sold by such standard loads as shall be fixed by the commissioners.

That a barrel of flour shall contain 196 pounds avoirdupois, net weight, and fractional parts thereof shall contain proportionate net weight.

A standard sack or bag of potatoes shall contain 90 pounds of potatoes at the time of sale, and potatoes shall not be sold by the sack or bag in other than standard sacks or bags.

Sec. 18. That the standard liquid gallon shall contain 231 cubic inches; the half gallon, 115½ cubic inches; the quart, fifty-seven and seventy-five hundredths cubic inches; the pint, twenty-eight and eight hundred and seventy-five thousandths cubic inches; the half pint, fourteen and four thousand three hundred and seventy-five tens of thousandths cubic inches; the gill, seven and twenty-one thousand eight hundred and seventy-five tens of thousandths cubic inches; the fluid ounce, one and eight thousand and forty-seven thousandths cubic inches; and no liquid measure of other than the foregoing capacity, except multiples of the gallon, shall be deemed legal liquid measure in the District of Columbia.

Sec. 19. That shucked oysters shall be sold only by liquid measure or numerical count, and whenever there is included in the sale by measure of shucked oysters more than 10 per cent of oyster liquid of other liquid substance the vendor shall be deemed guilty of selling short measure.

All fish shall be sold by avoirdupois weight.



SEC. 20. That every user of an automatic measuring pump or similar device shall, when the supply of the commodity which he is measuring for sale with such pump or similar device is insufficient to deliver correct measure of such commodity by the usual or customary method of operating such pump or device, or when for any cause whatever such pump or device does not, by the usual or customary method of operating the same, deliver correct measure, place a sign with the words "Out of use" in a conspicuous place on such pump or device where it may readily be seen and shall forthwith cease to use the same until his supply of such commodity is replenished or until such pump or device is repaired, adjusted, or otherwise put in condition to deliver correct measure. All automatic measuring pumps or other similar measuring devices in use shall be subject to inspection and approval or condemnation, whether used for measuring or not.

SEC. 21. That whenever any commodity is offered for sale at a stated price for a stated quantity, a smaller quantity shall be sold at a pro rata price unless the purchaser is informed to the contrary at the time of sale.

SEC. 22. That the superintendent or, under his direction, his assistants and inspectors shall from time to time weigh or measure and inspect packages or amounts of commodities of whatever kind kept for sale, offered or exposed for sale, sold, or in the process of delivery, in order to determine whether or not the same are kept for sale, offered for sale, or sold in accordance with the provisions of this act, and no person shall refuse to permit such weighing, measuring, or inspection whenever demanded by the superintendent or any of his assistants or inspectors.

SEC. 23. That it shall be unlawful for the superintendent or any employee of his office to vend any weights, measures, weighing or measuring device, or to offer or expose the same for sale, or to be interested, directly or indirectly, in the sale of same.

SEC. 24. That there is hereby conferred upon the superintendent, his assistants and inspectors, police power, and in the exercise of their duties they shall, upon demand, exhibit their badges to any person questioning their authority; and they are authorized and empowered to make arrests of any person violating any of the provisions of this act. The superintendent, his assistants and inspectors, may for the purpose of carrying out and enforcing the provisions of this act and in the performance of their official duties, with or without formal warrant, enter or go into or upon any stand, place, building, or premises, except a private residence, and may stop any vendor, peddler, dealer, vehicle, or person in charge thereof for the purpose of making inspections or tests.

SEC. 25. That the commissioners are hereby authorized and empowered to establish tolerances and specifications for scales, weights, measures, weighing or measuring instruments or devices, and containers used in the District of Columbia not inconsistent with the provisions of this act, and such as conform thereto shall be approved.

SEC. 26. That the commissioners are authorized to appoint public weighmasters and grant licenses for the location of public scales in the District of Columbia under such regulations as they may prescribe, and authorize such weighmasters to charge such fees as the commissioners may approve and fix in advance, and they may grant permits, revocable on 30 days' notice, for the location of such public scales on public space under their control. No person other than a duly appointed and qualified public weighmaster shall do public weighing or make any charge or accept any compensation therefor.

SEC. 27. That no person shall, within the District of Columbia, upon any freight bill, express bill, or other bill for transportation, indicate the weight of any commodity upon which weight the freight, express, or other transportation charge or charges is or are based except the true gross weight of such commodity, and every bill for freight, express, or other transportation charge or charges shall have legibly written or printed thereon the name of the person indicating such weight on same; and no person shall collect or attempt to collect in the District of Columbia any bill for freight, express, or other transportation charge or charges unless the same is prepared in accordance with the provisions of this section. The word "bill," as used in this section, shall be construed to mean any printed or written or printed and written evidence of charge or charges for freight, express, or other transportation.

SEC. 28. That the powers and duties granted to and imposed on the superintendent by the act are also hereby granted to and imposed on his assistants and inspectors when acting under his instructions.

SEC. 29. That the superintendent, under the direction of the commissioners, shall have supervision of all produce and other markets owned by the District of Columbia, shall enforce such regulations regarding the operation of the same as the commissioners may make, shall make such investigations regarding the sale, distribution, or prices of commodities in the District of Columbia as the commissioners may direct, and shall make reports and recommendations in connection therewith.

SEC. 30. That wherever the word "commissioners" is used in this act it shall be construed to mean the Commissioners of the District of Columbia. Wherever the word "superintendent" is used in this act it shall be construed to mean the superintendent of weights, measures, and markets.

SEC. 31. That the word "person," as used in this act, shall be construed to include copartnerships, companies, corporations, societies, and associations. Wherever any word in this act is used in the singular it shall be construed to mean either singular or plural, and wherever any word in this act is used in the plural it shall be construed to mean either plural or singular, as the circumstances demand.

SEC. 32. That each section of this act and every provision of each section, is hereby declared to be an independent section or provision, and the holding of any section or provision of any section to be void, ineffective, or unconstitutional for any cause whatever shall not be deemed to affect any other section or provision thereof.

SEC. 33. That any person violating any of the provisions of this act shall be punished by a fine not to exceed \$500, or by both such fine and imprisonment not to exceed six months. All prosecutions under this act shall be instituted by the corporation counsel or one of his assistants in the police court of the District of Columbia.

SEC. 34. That the act entitled "An act for the appointment of a sealer and assistant sealer of weights and measures in the District of Columbia, and for other purposes," approved March 2, 1895, as amended, is hereby repealed.

With a committee amendment, as follows:

On page 17, line 14, insert a new section, as follows:

"SEC. 16½. That no person shall sell, offer, or expose for sale in the District of Columbia any food in package form unless the quantity of contents is plainly and conspicuously marked on the outside of each

package in terms of weight, measure, or numerical count. The commissioners are authorized to establish and allow reasonable variation, tolerances, and exemptions as to small packages."

Mr. MAPES. Mr. Chairman, this bill proposes to amend and to redraft the present law applying to the District of Columbia in relation to weights, measures, and markets. A bill very similar to the present one passed the last Congress. The law on this subject now in effect in the District was passed in 1895 and has proved quite insufficient to adequately prevent the short-weight and short-measure practices in the District. The District, in a great deal of its legislation, takes the lead over the States, but the law on this subject, so far as the District is concerned, is antiquated, and the District is behind a great many of the States in this class of legislation.

Mr. GARD. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Michigan yield to the gentleman from Ohio?

Mr. MAPES. I will be glad to yield.

Mr. GARD. Does the gentleman say that the people who reside in the District of Columbia are now being treated to short measures and short weights, and that it is necessary to enact this legislation to correct that?

Mr. MAPES. Mr. Chairman, I did not say exactly that. But in some instances I think it is pretty generally known that that is the case. Of course, the District of Columbia is not different from any other community in that respect. There are some men who give full weight and full measure and there are some men who do not. There are instances in the District where it is known that short weights have been given.

One thing that the present bill proposes to do that is not done by the existing law is to standardize the measures used in the District. Under existing law there is nothing to prevent the use within the District of Columbia of any measure that human ingenuity can devise.

I have here a photograph showing a great many different containers that are in use. An examination of it will show how difficult it is for the unskilled eye to determine how much a container holds. There may be a variation of several quarts in containers that look very much alike, so much depends upon the size of the top or the size of the bottom of the container, or how far up the bottom extends, and several different things.

This bill proposes to standardize containers to be used in the District and to require the different dealers in commodities here to use the standards provided in the bill. Most of the States have legislation along this line, but unfortunately the District of Columbia has no adequate standardization law.

Mr. DUNBAR. Will the gentleman yield?

Mr. MAPES. I will yield to the gentleman.

Mr. DUNBAR. On page 18 the bill specifies that a barrel of flour shall contain 196 pounds avoirdupois.

Mr. MAPES. I will say to the gentleman that is somewhat different from the bill which just passed the House, and when we reach that provision I expect to move to strike that language out of the bill.

The bill requires ice to be sold by weight. I think it is quite notorious that one of the great abuses in the District is in the selling of ice by a great many concerns that refuse to sell it by weight. They insist upon selling ice by the piece, and the housewife can take it or leave it, as she sees fit. Some of them refuse to deliver ice unless it is accepted in that way. This bill proposes to make it unlawful for any dealer to sell ice except by weight.

It also provides that when articles are sold by weight they shall be sold by the net weight, and that the wrapper, whether paper covering or box, the cost of which is very much less than the cost of the article, shall not be weighed and sold as a part of the article and at the same price.

The bill also requires the merchant, when he gives a sales slip showing the cost of an article, to put on the amount that is sold, not to do as a great many do, put down "Potatoes, \$1," or "Meat, 75 cents," so that there is no way of telling whether the amount purchased is a bushel of potatoes or half a bushel, or 1 pound of meat or half a pound. The bill requires the merchant who delivers a sales slip to put on the amount as well as the price.

It also fixes the standard of a loaf of bread within the District of Columbia.

Mr. GOLDFOGLE. Will the gentleman yield?

Mr. MAPES. I yield to the gentleman from New York.

Mr. GOLDFOGLE. Do I understand that it is contemplated by the bill that on each sale, large or small, there shall be delivered to the customer a sales slip?

Mr. MAPES. No; the bill does not require that. It simply requires that in case a sales slip is delivered to the customer it shall contain the true weight or measure as well as the price.



Mr. GOLDFOGLE. Is there any requirement that a sales slip shall be delivered?

Mr. MAPES. If the customer requests it, it shall be delivered, or if the merchant voluntarily delivers a sales slip he shall put on the slip the price and the amount of the article.

Mr. GOLDFOGLE. The purpose of this bill, of course, is to some extent—

Mr. MAPES. I have not time to argue the question, because I have only a few minutes, but that is the provision.

The bill also fixes the standard loaf of bread for the District of Columbia, fixes two standards, one of one-half pound and one of 1 pound.

It prohibits the use of baskets and other containers in place of the bushel and half-bushel measure. The practice at present is to use any sort of a container, any sort of a basket, which may in the course of time become very much out of shape and very much dilapidated. The bill proposes to prevent that.

The bill also extends the control of the superintendent of weights, measures, and markets over automatic measuring pumps and the automatic vending devices on the street and the coin-in-the-slot machines. My information is that with these automatic pumps, as the quantity of gasoline becomes less the tendency is for the pump to show a larger amount than there really is. Under the present law the superintendent of weights, measures, and markets has no jurisdiction over and no way of correcting or testing these pumps. This bill gives him that authority.

Mr. GARD. Will the gentleman yield?

Mr. MAPES. I yield to the gentleman from Ohio.

Mr. GARD. I do not understand what the gentleman says about the measuring pumps making the measure greater than it really is. Does the gentleman refer to these gasoline-measuring pumps? Is that what he had in mind?

Mr. MAPES. Yes; my information is that as the quantity of gasoline decreases the tendency is for the pump to over-measure.

Mr. GARD. When the gasoline in the supply tank gets low the action of the pump shows a greater amount with a low tank than with a full tank?

Mr. MAPES. That is my information.

Mr. BANKHEAD. Will the gentleman yield?

Mr. MAPES. Yes.

Mr. BANKHEAD. Section 1 provides that the commissioners are authorized to employ such assistants as Congress may provide. Is it anticipated that under this law there will be any considerable increase in the number of assistants?

Mr. MAPES. No; I will say to the gentleman that it is not. One feature of this bill which should be emphasized is the fact that it asks for no additional employees and for no increase of salary of the present employees. Section 1 is practically the same as in the existing law, with this exception: The existing law does provide for one inspector, but in practice that provision has been obsolete for a great many years, and the Appropriations Committee now appropriates for six inspectors, notwithstanding the existing law only authorizes one.

Mr. SNYDER. Will the gentleman yield?

Mr. MAPES. I will yield to the gentleman from New York.

Mr. SNYDER. Of course, with all these new restrictions that this bill calls for perhaps in time it would naturally demonstrate the necessity for a great many more inspectors and supervising inspectors?

Mr. MAPES. It might lead to that in time, although a great deal of this same work is now being done by the one superintendent and the present inspectors. The difficulty has been to enforce their regulations and to require men to give full weight and measure and to punish those who did not.

Mr. SNYDER. I have taken the pains to read this bill very carefully. It strikes me that it is going to put an additional burden on the people and an additional expense onto practically every item that a person must purchase in the city of Washington, in addition to the restrictions that we already have.

Mr. MAPES. I will say that most housewives would be willing to stand the little additional expense that the enforcement of this law will entail if they could be sure that they would get proper measurement and proper weight when making their purchases.

Mr. SNYDER. I am anxious that everybody should get proper weight and proper measure, but I am absolutely opposed to putting further restrictions, and therefore further burdens, on the people of this District or any other at the present time.

Mr. GOLDFOGLE. Will the gentleman yield?

Mr. MAPES. I can not yield further. I have only a few minutes left. The bill provides that where articles are sold by numerical count the count shall be correct. It further provides that when anything is sold by the pound or the bushel that one-half that amount shall be sold for one-half the price of the

pound or bushel unless the dealer expressly states to the contrary. For instance, if a bushel of potatoes sells for \$2, and the dealer tells his customer that potatoes are \$2 a bushel, and the customer orders half a bushel, the dealer must sell the half bushel for \$1 or notify her at the time that the half bushel will be more than one-half the price of the bushel.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. ROMJUE. Mr. Chairman, I will yield the gentleman five minutes additional.

Mr. MAPES. Mr. Chairman, I will not attempt to go over the bill in detail, but as it is taken up under the five-minute rule, if the Members desire it, I will be glad to explain the difference between the sections in the bill and the existing law. The bill on the whole is a redraft of the present law, making it more workable and putting more teeth into it, so that the superintendent of weights and measures can enforce the law and regulations and prevent short weights and short measures, which are now, as the gentleman from Ohio has intimated, practiced to some extent throughout the District. They are practiced particularly upon the people who do their ordering over the telephone. Under existing conditions, unless the people go to the markets and do their buying personally, go into the stores and see what they are getting, they are not sure of getting what they order, and in a great many cases they do not get what they thought they were going to get.

Mr. TILSON. Will the gentleman yield?

Mr. MAPES. Yes.

Mr. TILSON. Reading the bill, it seems that the schedule of fees heretofore collected has been abolished. Did the committee intend to abolish the schedule of fees, and provide that hereafter the expense instead of coming on the dealer shall come out of the Treasury?

Mr. MAPES. The committee thought that for the dealer whose weights and measures were being inspected to pay the expense was a vicious practice and ought not to be continued, and the bill provides for the abolition of that practice.

Mr. TILSON. The salaries do not seem to be increased. Where is the compensation to come from if the salary is not increased and you make no provision for the collection of fees?

Mr. MAPES. The gentleman may have a different view of it, but to me it is a vicious practice to have a man whose business is being inspected pay the inspector for the inspection.

Mr. TILSON. I do not dispute that; but how are the men going to receive anything more than the \$2,500?

Mr. MAPES. They do not receive any more compensation. The bill does not change existing law in that respect, and does not provide that they shall receive any greater remuneration than they are now receiving.

Mr. TILSON. They receive only \$2,500 and do not receive the fees?

Mr. MAPES. No.

Mr. TILSON. The fees now go into the revenues of the District?

Mr. MAPES. Yes. Mr. Chairman, as I said, as we proceed with the reading of the bill, I shall be glad to point out the differences between the different sections of the existing law and this bill, if the committee so desires.

The CHAIRMAN. The gentleman from Missouri [Mr. ROMJUE] is recognized.

Mr. ROMJUE. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Chairman, I wish to call attention briefly to one fundamental effect that the passage of this proposed legislation will have. Of course, it is not likely that even in the District of Columbia it will bring about those happy conditions which obtained in our boyhood, when one could go to market with a basket and a \$1 bill and come back with the basket filled and change in one's pocket. To-day a man can go to the market with a \$5 bill and he need take nothing but his vest pockets with him to bring home his purchases. The enactment of this bill is not going to take us to the Elysian fields or bring about a Utopia by rapidly reducing prices, but it seems to me there is one fundamental effect it will have which is desirable. It does not make much difference to the man who receives a large salary or to the man who derives a large income from his business whether or not the price of coal by the ton advances \$1 or \$2, but it is a matter of serious importance to the poor fellow, who buys his coal, so to speak, by the nugget rather than by the ton, to know that he will pay no more than a proportionate and corresponding price for the little bucketful that he buys from the huckster. This bill, it seems to me, in its fundamental purpose is praiseworthy because it seeks to protect the poor of the District of Columbia, who necessarily must buy in small quan-

ties and buy frequently as the daily or weekly or monthly wage comes to the family.

It was very interesting to me and very surprising also to note the difference in some of the containers which were presented before the committee during the hearings upon this bill by the superintendent for the District, and even the members of that committee, somewhat skilled perhaps in buying different commodities in different quantities, were deceived by the quantities which those measures really held.

The visual conclusion is often very erroneous. It seems to me, therefore, that these people who may be readily deceived visually, the poor people of the District, are entitled to the protection which a law of this kind will throw around them. Profiteering is necessarily magnified many times when a ton of coal, for instance, is peddled out in erroneous containers and through spurious weights and measures to the poor people of the District; and although the bill may need amendment—and I can see readily that, in view of the bill which we passed this morning, an amendment should be adopted in respect to the number of pounds in a standard barrel of flour, this bill fixing 196 pounds and the bill which we have just passed fixing 200 pounds—although it may need some amendment, I say the fundamental principle should be borne in mind that the purpose of the bill is to relieve the poor people, who are suffering most from profiteering, and to afford a remedy in those cases in which the establishment of such standards will do so. This bill has to do with the sale of ice, coal, oysters, fruits, vegetables, and so forth, the things that go into the homes of the humble of the District of Columbia, and it should be remembered that those who need protection are the ones sought to be protected by the proposed law.

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield to my colleague.

Mr. BEE. Mr. Chairman, I have been very much impressed by the statement made by the gentleman from Michigan [Mr. MAPES] and by the statement made by the gentleman from Texas [Mr. LANHAM] in respect to the necessity arising from the conditions which they describe. I want to ask this question of the Committee on the District of Columbia: Is there not some way, while we are regulating weights and measures and other things in the District of Columbia, to regulate the street-car service of the city of Washington for the benefit of unfortunate Members of Congress who have not an automobile and who live some distance from the Capitol? Can not the District of Columbia give the Members of the House and the public some assurance that this continuous performance of inefficiency on the street cars of Washington will at some time cease?

Mr. LANHAM. I will say to the gentleman that, lamentable as the conditions may be in that respect, that would come under long waits rather than standard weights.

Mr. BEE. There is a good deal of long wait about it, I will say to the gentleman.

Mr. GARD. Mr. Chairman, will the gentleman yield further in that respect?

Mr. LANHAM. Yes.

Mr. GARD. In respect to the question of the gentleman from Texas [Mr. BEE], does not his colleague know that the Public Utilities Commission increased the price of fares 2 cents, which one company did not want and which the other company says is not sufficient to take care of its needs, and that notwithstanding that we have to pay 7 cents to ride a couple of blocks in the District of Columbia, with a very inferior service, notably on one line of street cars?—

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. ROMJUE. Mr. Chairman, if I have any more time I yield the gentleman such time as he desires.

The CHAIRMAN. The gentleman has five minutes more.

Mr. ROMJUE. Then I yield the gentleman from Texas two minutes.

Mr. LANHAM. I yield to the gentleman from Ohio.

Mr. GARD. I was just interrogating the gentleman in respect to the question regarding street cars raised by his colleague [Mr. BEE].

Mr. LANHAM. I would state in reply to the gentleman that if by any of the measurements prescribed in this bill that matter can properly be determined, then we have endeavored to set a proper standard.

Mr. GARD. Under this bill what is the standard wait for passengers on the Washington Railway & Electric Co.?

Mr. LANHAM. I do not think there is any standard wait.

Mr. BEE. If the gentleman will permit, I would say that 30 minutes seems to be the standard, and I would suggest further that if the Public Utilities Commission further raises prices the gentleman from Ohio [Mr. GARD] and other gentle-

men in the House are going to establish a reputation as long-distance pedestrians.

Mr. LANHAM. Well, there is getting to be some prestige in being a pedestrian.

The CHAIRMAN. The gentleman from Missouri [Mr. ROMJUE] has three minutes remaining.

Mr. ROMJUE. Mr. Chairman, I just desire to say in connection with what the gentlemen have just been discussing that I have recently introduced a bill which I think will regulate the street-car rates in the city of Washington, and if the three gentlemen will vote with me as enthusiastically as they have talked in the last few minutes I believe we will be able to bring about the passage of it soon. Hearings on the bill are to begin within about 10 days. I do not desire to use any further time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted, etc.,* That there is hereby created an executive department in the government of the District of Columbia which shall be known as the department of weights, measures, and markets. Such department shall be in charge of a superintendent of weights, measures, and markets, who shall be appointed by and be under the direction and control of the Commissioners of the District of Columbia, and shall receive a salary of \$2,500 per annum. He shall have the custody and control of such standard weights and measures of the United States as are now or shall hereafter be provided by the District of Columbia, which shall be the only standards for weights and measures in said District.

The commissioners are also authorized to appoint, on the recommendation of the superintendent, such assistants, inspectors, and other employees for which Congress may, from time to time, provide.

Mr. GARD. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I have been investigating this bill, H. R. 8067, and have been considering it in reference to the provisions of the old bill, approved March 2, 1895, and I wish to ask those in charge of the bill whether there is any disposition to add an increased force in the office of the division of the executive department known as the department of weights, measures, and markets. I do this because the law of 1895 provided that this officer should be known as the sealer of weights and measures and should receive a salary of \$2,500 per annum. I note that is the same salary that is carried in this bill, and that which is new in the bill before us is the provision that the commissioners are also authorized to appoint, on the recommendation of the superintendent, such assistants, inspectors, and other employees for which Congress may from time to time provide. Now, I do not know whether the present superintendent of weights and measures has appeared before the Commission on the Reclassification of Salaries, which we are constantly advised in the prints is sitting in Washington, for an increase in compensation, and I would appreciate the information from members of the committee as to how many present assistants there are in the office of the superintendent of weights, measures, and markets, and what the plan is for the increase of assistants, inspectors, and other employees under the new matter contained in lines 6, 7, 8, and 9 of this bill on page 2.

Mr. MAPES. Mr. Chairman, I will say to the gentleman, as I said in my opening statement, that it is not the intent of this law to increase the number of assistants at all. The existing law, the law of 1895, that provides for one inspector, has in practice been a dead letter for a great number of years. There are now six assistant inspectors. They are provided for in the annual appropriation bill, and the appropriation for this department in the current appropriation law is something over \$21,000. It is perfectly apparent that the superintendent and one assistant could not properly perform the duties which the sealer of weights, measures, and markets ought to perform here in the District. This bill does not purport to change the existing number, although it does not contain that provision which has been a dead letter for a great many years.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. MAPES. With the permission of the gentleman from Ohio.

Mr. McLAUGHLIN of Michigan. Then are we to understand that the law under which the sealer of weights and measures has been appointed and acted is still in force and there shall continue to be a sealer of weights and measures and also a head of this department of weights, measures, and markets?

Mr. MAPES. No; the superintendent of weights, measures, and markets is one official, and then he has some assistants.

Mr. McLAUGHLIN of Michigan. Well, is the sealer of weights and measures to continue in office?

Mr. MAPES. The superintendent of weights, measures, and markets is the correct designation. He used to be called the "sealer of weights and measures," but in 1910, by the passage of a very short law, the title of the office was changed to that of superintendent of weights, measures, and markets.



Mr. McLAUGHLIN of Michigan. Then will he continue in office after the passage of this law and the appointment of this—

Mr. MAPES. No; that law is repealed in the last sections of this bill.

Mr. McLAUGHLIN of Michigan. Then there is to be only one of these gentlemen in this office performing this duty?

Mr. MAPES. That is all.

Mr. BANKHEAD. Mr. Chairman, I desire to submit a parliamentary inquiry if the gentleman will permit.

Mr. MAPES. I understand the gentleman from Connecticut desires to ask a question?

Mr. TILSON. I wish to ask about the necessity for the creation of a new department known as the department of weights, measures, and markets. Heretofore there was a sealer of weights and measures retained under the commissioners. In this bill we provide a new department, which sounds rather large. I do not know what the importance of it may be that makes it necessary.

Mr. MAPES. The appointment is made in the same way by the commissioners. I imagine the change would be more nominal than anything else.

Mr. BLANTON. I move to strike out the last two words.

The CHAIRMAN. The gentleman from Alabama desires to submit a parliamentary inquiry.

Mr. BANKHEAD. Mr. Chairman, I desire to submit this inquiry: I notice sections 30 and 31 of the bill are matters of definition. It seems to me it would be more appropriate, as a matter of ordinary construction of legislation of this sort, to have had those sections, instead of being put in the back of the bill, come after section 1 of the bill; and I desire to ask if it would be in order to move or offer an amendment transposing those two sections and number them properly, so that they would follow immediately after the present text of section 1 of the bill?

The CHAIRMAN. That is a question that will properly arise when those sections are reached in the consideration of the bill for amendment.

Mr. BANKHEAD. I want to know if it can not be raised now?

The CHAIRMAN. Only by unanimous consent, by advancing to that portion of the bill.

Mr. BANKHEAD. I simply desired to call the attention of the chairman of the committee to it. It seems to me, in view of the subject matter of those two sections, they should properly be in the first part of the bill, and when it is reached it seems to me it ought to be transposed.

Mr. BLANTON. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, mention was made a moment ago of the 7-cent fare which is charged on the street car lines in Washington. I am not at all surprised that we are paying 7 cents for passage on street cars here, because since last April, nine long months, the Washington Electric Street Railway Co. has been repairing its track on one short street here in this city—East Capitol Street—which faces the main east entrance of this building. They have had that track torn up for nine long months—since April. They have had at work there during that time—because I have seen them every day except a few days when there was bad weather and when they could not work—all the way from twenty-five to over a hundred workmen; and if every man in this House or in this city could have just gone up there day after day and watched that bunch of men fool away time they would not be surprised at 7-cent fares.

Out of the biggest number they ever had at work there at any one time, there was about the same percentage at work as there is a percentage of the Members of this House at work right now on the floor of this House. We have here on the floor 24 men, embracing the distinguished Republican leader from Illinois [Mr. MANN], whose presence here, I am sure, we are all glad of at this time. Out of 435 men, we have 24 Members here at work now on legislation, when the House on this, the Republican, side have been telling the people all over the country that they are much concerned about the affairs of the country. Are they concerned? Just so is the concern of the employees of this street railway company, and if the officials of that company, if the manager of that company, if the superintendent of it, would see to it that it gets proper service from its employees who are drawing money from the company,\* which many people of this city have to make good in 7-cent fares and in increases of fares, if they would see to it that the men who are working for them give a good honest day's work, and not fritter away their time in idleness, we would not have to pay 7-cent fares. They could cut the fare, if they would make all those men work, down below 5 cents and still make money. Any efficient street-railway con-

tractor, with this big force of men, should have been able to have built twenty times as much new trackage as this company has been trying to repair on East Capitol Street during the last nine months. If all of its trackage has cost as much in repair as this small East Capitol Street sector, I am not surprised that this company must require a 7-cent fare to do business.

Mr. GARD. Has the gentleman read the bill with reference to the amount of water that may be in a package of shucked oysters, and does he know the amount of water there is in the stock of any of the street-railway companies here?

Mr. BLANTON. If there is half as much water in their stock as there is inactivity in their workmen, there is a plenty.

Mr. LAYTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. LAYTON. The point of order is that the gentleman is not discussing this bill, as I understand it, and I am trying to save the time of the 25 Members who are here at work.

The CHAIRMAN. The point of order is sustained. The time of the gentleman from Texas [Mr. BLANTON] has expired.

Mr. GARD. Mr. Chairman, I move to strike out the last three words for the purpose of asking a question of the chairman of the committee.

The CHAIRMAN. The gentleman from Ohio is recognized in opposition to the motion of the gentleman from Texas.

Mr. GARD. Mr. Chairman, I desire to ask the chairman of the committee whether there is any provision in this bill—I have read it as carefully as I could and I fail to find it—concerning a place—a room or rooms—where this division or department of weights and measures and markets may be carried on? The old law contained, in section 3, a provision that the commissioners should provide for the use of the sealer and his assistant, and so forth, a suitable room or rooms to be used for the business, and the commissioners should provide a horse and wagon for the use of the sealer and assistant sealer at such time as the business of their office should require. Now, it must be manifest that this department of weights, measures, and markets must have a place in which to carry on its business for two reasons—one that the public may know and the other that the business may be properly transacted. Now, there is no provision in the bill H. R. 8067, as I have read it, which provides that there shall be any recognized place for this division or department of weights, measures, and markets, nor is there any corresponding authority for the provision of a horse and wagon, or, as I suspect will be necessary to-day, an automobile, for the use of those that carry on this work. I call the attention of the chairman and the members of the committee to this apparent omission in order to learn if there is a desire to amend the bill to incorporate anything of this kind.

Mr. MAPES. Mr. Chairman, will the gentleman yield?

Mr. GARD. Yes.

Mr. MAPES. I will say to the gentleman that that omission was intentional. The sealer of weights and measures thought it was unnecessary to carry that in the bill, and he assumed that his office would be in the District Building, the same as other employees of the District are in that building.

Mr. GARD. Does not the gentleman think that the bill should carry a designation as to where the office of this department of weights, measures, and markets should be, at least for the purpose of information? Should there not be some definite authority as to where he is and some definite authority for the provision of room, or of such transportation as is necessary for the business of the office?

Mr. MAPES. Personally I do not think it makes any difference. The sealer of weights and measures thought it was unnecessary.

Mr. McLAUGHLIN of Michigan. But the gentleman will notice that the office of the sealer of weights and measures is abolished, or will be if this act is passed, and he will no longer be in existence. What weight will his opinion of how and where the business is to be transacted have? I do not know that it is important that the bill should designate a place or that a place should be provided, but when the gentleman from Michigan says that the omission was on the expression of opinion of the sealer of weights and measures, he is the man who is abolished, and the place is abolished. He will not be here.

Mr. MAPES. Mr. Chairman, for the sake of my technical colleague from Michigan, I will say that my description was not entirely accurate. The superintendent of weights, measures, and markets is often referred to as the "sealer of weights and measures"; but, in fact, there is no such officer as the sealer of weights and measures and no such office. It is the "superintendent of weights, measures, and markets," and whenever the chairman of the District Committee speaks of the sealer of weights and measures he means the superintendent of weights, measures, and markets. It is the old law relative to the sealer

of weights and measures that this bill proposes to repeal. But it does not do away with the superintendent of weights, measures, and markets. This bill proposes to give him additional power.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTLE. Mr. Chairman, I move to strike out the last four words.

The CHAIRMAN. The gentleman from Kansas moves to strike out the last four words.

Mr. LITTLE. Mr. Chairman, I am very much interested in the announcement of the gentleman from Texas [Mr. BLANTON] that there are only 24 Members here. I have read this bill through now. It is all right, so far as I can see, and I expect to vote for it.

I like the committee amendment, too, on page 17. If there is any necessity for me to vote on that, I will. That leaves me free to go away, and in a moment there will be only 23 here. Instead of sitting around and pestering the committee with points of order and advice about something that I do not know as much about as the members of the committee do, I shall go over to my office and attend to business there for awhile. The committee has studied the bill carefully, I hope. I could sit here and ask questions and make speeches, but instead of that I am going back to my office, and I am going to work. I have another bill before another committee that I think is more important than this, and for several days I have not had time to get at it. I thank the committee for getting the bill out in this way so that I can get back to my business. I have a lot of letters that I have to write to my constituents, people who need attention—business in the departments—and I can not get time to do it except when some bill like this is called up from a committee in which I have confidence and which commends itself to me when I have read it.

Mr. BLANTON rose.

Mr. LITTLE. I thank the committee for giving me this opportunity; and aside from that I want to say about the speech of the gentleman from Texas [Mr. BLANTON], now that I see he is on his feet, that he is quite right about the street railroads. Whether there is any other omission from the bill, there ought to be some way of getting at the railroads. What the gentleman says is all right. I would like the committee to tell us, some time during the consideration of some bill concerning the District, whether a Congressman has any rights in this town anywhere, on the street cars or anywhere else. I know of a Congressman who passed through the hands of three physicians in this town. One of them sent him a bill for \$25 for an operation, and—

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. BEE. Is he still here? [Laughter.]

Mr. LITTLE. Yes. But there was no operation performed in that case. The gentleman from Texas [Mr. BEE] is lucky. He came safely through an operation here. Though there was no operation, this gentleman was charged \$25 for an imaginary one. This Congressman asked that doctor if there had been any operation, and he answered, "No, there was no operation; but I always send in a bill for \$25 in such a case, anyway." The gentleman paid a good-sized bill and the \$25 more rather than go to law. This Congressman was sent to the hospital and was put in charge of a hospital doctor, and one day another doctor came in with a nurse, and he said, "Who are you?" The doctor said, "I am the doctor." The victim supposed he was the physician in charge in the hospital, but it turned out that he was just "snitching" a case. When the sick man went away from the hospital the other fellow turned up with a bill for \$25. Rather than go through the trouble of a lawsuit, he paid that bill. He afterwards made inquiry of the authorities who have charge of such things. He said, "There is a law in this District that provides that for unprofessional or dishonorable conduct a doctor can be made to lose his license. Is it unprofessional or dishonorable to snitch a case and lie about it, and pretend that you are an official hospital physician when you are not, and send a man a bill for \$25 for services never performed? Is there any law against that? Is it unprofessional or dishonorable in Washington for a doctor to charge for an operation he never performed or to snitch a case in a public hospital?" And the man answered, "No; there is not. The courts have decided that the law to take away a doctor's license in Washington for unprofessional or dishonorable conduct is unconstitutional."

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. BLANTON. Now that the efficient gentleman from Kansas has shown that he is one of the 24 men present, I would like to suggest to him that where we Members of Congress are

not familiar with the provisions of the bill, by staying here and listening to the discussion of it we can gain some knowledge of it by absorption.

Mr. LITTLE. That is quite true. Most of the legislation is of such a character that it should have the careful consideration of all till it is completed. But here is a District of Columbia bill, purely local in its force. My constituents have about the same interest in it they have in the city ordinances of Chicago. Then, department needs, and the general legislation of the Nation now before committees of which I am a member, is vastly more needful of my time than this bill. Gentlemen who are on the committee, gentlemen who have time to spare are giving this their attention, and I shall keep in touch with the progress of this bill and be ready to vote on all important phases of it.

The CHAIRMAN. The time of the gentleman from Kansas has expired. All time has expired on the pending amendment.

Mr. LITTLE. I will say good-by now. [Laughter.]

Mr. MAPES. Mr. Chairman, I move that all debate on this section and all amendments thereto be now closed.

The CHAIRMAN. The gentleman from Michigan moves that all debate on this section and all amendments thereto be now closed.

Mr. BEE rose.

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Michigan.

Mr. MAPES. Mr. Chairman, I will yield to the gentleman from Texas.

Mr. BEE. Just for one moment.

Mr. GARD. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The motion is not debatable.

Mr. MAPES. I will withdraw the motion if the gentleman has germane amendments. The gentleman from Ohio has had the floor twice on this section. I hope the gentleman will not bring in a lot of immaterial and irrelevant matters. This is an important bill. I know the provocation on the part of Members of Congress is great for calling attention to abuses here in the District, but here we have an opportunity this afternoon to remedy some of the principal abuses.

Mr. GARD. Mr. Chairman, I am in accord with the gentleman.

Mr. MAPES. Let us not by discussing irrelevant matters delay the passage of the bill, which is material and important. I will withdraw the motion, if the gentleman has a germane amendment.

Mr. BEE. I will not offer mine.

Mr. GARD. Mr. Chairman, I offer to amend, on page 2, line 9, after the word "provide," by inserting the following:

The said commissioners shall provide for use of the department of weights and measures and markets—

The CHAIRMAN. Will the gentleman from Ohio send his amendment to the Clerk's desk?

Mr. GARD. I think I can state it so it can be read by the Clerk.

The CHAIRMAN. Amendments must be reduced to writing and sent to the Clerk's desk and read. The Clerk will read.

Mr. GARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GARD. Did the Chair indicate a moment ago that I must present my amendment in writing before it can be considered?

The CHAIRMAN. The Chair requested the gentleman to reduce it to writing.

Mr. GARD. I am offering what I think is a pertinent amendment.

The CHAIRMAN. The Chair is simply announcing the rule of the House. The gentleman can govern himself accordingly. The Clerk will read.

The Clerk read as follows:

SEC. 3. That the superintendent and, under his direction, his assistants and inspectors, shall have exclusive power to perform all the duties provided in this act. They shall, at least every six months, and oftener when the superintendent thinks proper, inspect, test, try, and ascertain whether or not they are correct, all weights, scales, beams, measures of every kind, instruments or mechanical devices for weighing or measuring, and all tools, appliances, or accessories connected with any or all such instruments or mechanical devices for weighing or measuring used or employed in the District of Columbia by any owner, agent, lessee, or employee in determining the weight, size, quantity, extent, area, or measurement of quantities, things, produce, or articles of any kind offered for transportation, sale, barter, exchange, hire, or award, or the weight of persons for a charge or compensation, and shall approve, seal, and stamp or mark, in the manner prescribed by the commissioners, such devices or appliances as conform to the standards kept in the office of the superintendent, and shall seize and destroy or mark, stamp, or tag with the word "condemned" such as do not conform to the standards, and shall also mark the date of such condemnation upon the same. Any weight, scale, beam, measure, weighing, or measuring device of any kind which shall be found to be unsuitable for the purpose for which it is intended to be used or of defective construction or material shall be condemned. No person shall use or, having the same under his control, shall permit to be used for



any of the purposes enumerated in this act any weight, scale, beam, measure, weighing, or measuring device whatsoever unless the same has been approved in accordance with the provisions of this act within six months prior to such use.

Any person who shall acquire or have in his possession after the passage of this act any unapproved scale, weighing instrument, or nonportable measure or measuring device, subject to inspection or test under the provisions of this act, shall notify the superintendent in writing at his office, giving a general description thereof, and the street and number or other location where same may be found, and it shall be the duty of the superintendent to cause the same to be inspected and tested within a reasonable time after receipt of such notice. Any person who shall acquire or have in his possession after the passage of this act any unapproved portable measure or measuring device subject to inspection or test shall cause the same to be taken to the office of the superintendent for inspection and test.

Every peddler, hawker, huckster, transient merchant, or other person with no fixed or established place of business shall, before using any weight, scale, measure, weighing or measuring device for any of the purposes enumerated in this act, cause the same to be taken to the office of the superintendent for inspection and test semiannually, and shall not use for the purposes herein mentioned any weight, scale, measure, weighing or measuring device which has not been approved within six months prior to the time of such use.

Nothing herein shall be construed to require the superintendent to test any weighing or measuring device belonging to the United States.

Mr. MAPES. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MAPES: Page 3, after line 25, strike out the period, insert a comma and the following: "Or that does not conform to the standard kept in the office of the superintendent of weights, measures, and markets, or which having been condemned has not thereafter been approved as provided in this act."

Mr. MAPES. Mr. Chairman, the language of the bill apparently does not cover a case such as the amendment has in mind. The bill provides that these weighing devices must be approved by the superintendent of weights, measures, and markets once in six months, but there is no provision prohibiting the use of a device during that six months if it is defective, and this amendment proposes to make it unlawful for a user of a measuring device or scale to use it in case it gets out of order within the six months.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. MAPES. I yield to my colleague.

Mr. McLAUGHLIN of Michigan. On page 3, in lines 12, 13, and 14, I see authority is given to the superintendent of weights, measures, and markets to seize and destroy any of these scales or devices, tools, appliances, accessories, and so forth; or he may mark or stamp them with the word "condemned." It seems to me that is pretty large authority to put into the hands of a man, to permit him of his own motion arbitrarily and immediately to have the right to destroy these things.

Mr. MAPES. I will say to the gentleman that that is the existing law. There has been no change in that regard.

Mr. McLAUGHLIN of Michigan. I do not know that that makes it right. I am not prepared to suggest an amendment, but I am just wondering if the gentleman from Michigan, chairman of the committee, has thought of that matter and had his attention directed particularly to those words, and to that very large authority, to let the superintendent go into any place of business and seize any weighing device and any tools, appliances, and accessories and, in his judgment, immediately destroy them.

Mr. MAPES. In order to make the law effective it is necessary to give the inspector some broad powers. A dealer certainly ought not to use a weighing device that is not accurate.

Mr. McLAUGHLIN of Michigan. That is entirely true.

Mr. MAPES. There has been no abuse of the present law that has been brought to my attention.

Mr. McLAUGHLIN of Michigan. I have no amendment to suggest, but it strikes me as being a pretty broad power.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. MAPES].

The amendment was agreed to.

Mr. BANKHEAD. Mr. Chairman, a few moments ago I submitted a parliamentary inquiry to the Chair, who decided that it was not in order to move a transposition of sections 1 and 31. I am now informed that the Chair thinks possibly he was inadvertent in that ruling, and in order to raise that question in its appropriate place, I ask unanimous consent to return to section 1, so that I may offer that motion.

Mr. MAPES. Reserving the right to object, I think we ought to go along and read these different sections in the order in which they appear in the bill.

Mr. BANKHEAD. I lost the opportunity to present the question by reason of the ruling of the Chair.

Mr. MAPES. I will say to the gentleman that the practice of the House in the majority of cases is to put the definitions in the latter part of the bill.

Mr. BANKHEAD. That has not been the practice latterly, I will say to the gentleman.

Mr. MAPES. I think the gentleman is mistaken.

Mr. BANKHEAD. It is a matter of no importance—

Mr. MAPES. For that reason I do not see why the gentleman from Alabama is making so much of it.

Mr. BANKHEAD. I am doing it simply in the interest of what I regard as the orderly method of consideration of the bill. Does the gentleman object?

The CHAIRMAN. The Chair will announce that when the parliamentary inquiry was made by the gentleman from Alabama the Chair stated that a subsequent section could only be inserted in the portion of the bill under consideration by unanimous consent. The Chair thinks he was in error, if the matter desired to be transposed is proper for consideration at the portion of the bill under discussion. It has been held in the consideration of bills in the House that a subsequent section might be offered in connection with the section then under consideration. The Chair wants to make that statement in connection with the present request of the gentleman from Alabama.

Mr. MAPES. Mr. Chairman, I think we will make better progress if we go along and read these different sections in their order, and for that reason I object.

The CHAIRMAN. The gentleman from Michigan objects.

Mr. WATSON of Pennsylvania. Mr. Chairman, I am somewhat interested in this bill as a moral thermometer of the American people, and I want to ask the chairman if there was any evidence brought before the committee to show increasing dishonesty amongst our people. It seems, if it is necessary to pass such legislation as this measure defines, and with a severe penalty attached, in order that a purchaser may buy an ounce for an ounce or a pound for a pound, civilization has not advanced very far. It occurs to me that the methods of education for the past 3,000 years and the culture and refinement surrounding our homes and the many forms of religion throughout the world have proven a failure if this bill is required to protect our people from exercising fraud one toward the other. Was there any testimony, Mr. Chairman, to show a lowering of the standard of business morality?

Mr. MAPES. In answer to the gentleman from Pennsylvania I will say that as far as I am concerned I continue to have a great deal of faith in human nature. But while the great majority of the people in the District of Columbia undoubtedly are honest, the same as the great majority of the gentleman's constituents are honest, there are always a few men in business and in trade who require a law of this kind to keep them from gouging the public. This is for the purpose of regulating those few men and not for those who are honest and do not require a law of this kind.

Mr. WATSON of Pennsylvania. I am glad the evidence showed that only a few people made this law necessary.

Mr. GARD. I ask unanimous consent to return to section 1, on page 2, for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to return to section 1 for the purpose of offering an amendment. Is there objection?

Mr. MAPES. Mr. Chairman, reserving the right to object—

Mr. GARD. I think if the gentleman hears the amendment he will agree to it.

Mr. MAPES. I hope we can finish the reading of the bill. Then if it is thought desirable to return to section 1 we can do so.

Mr. GARD. It is just a short amendment. I would be glad if the gentleman would hear it.

Mr. MAPES. Let us get through with the bill. For the present I object.

Mr. GARD. If it is desired to go ahead in a formal way and if we can not have the proper opportunity of offering amendments, then I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Ohio makes the point of order that there is no quorum present. The Chair will count. [After counting.] Eighty-one Members present. Not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Alexander	Brumbaugh	Crowther	Ellsworth
Anderson	Burdick	Dallinger	Esch
Andrews, Md.	Burke	Davis, Minn.	Fairfield
Aswell	Burroughs	Dempsey	Ferris
Ayres	Butler	Denison	Fraser
Bacharach	Carew	Dent	Gandy
Baer	Casey	Donovan	Garner
Barbour	Cleary	Dooling	Godwin, N. C.
Bland, Ind.	Cole	Doremus	Goldfogle
Bland, Mo.	Collier	Dunn	Goodall
Booher	Cooper	Dupré	Goodwin, Ark.
Brinson	Copley	Eagle	Gould
Britten	Costello	Echols	Graham, Pa.
Browning	Crago	Edmonds	Graham, Ill.

Hamill	Kennedy, R. I.	Osborne	Taylor, Ark.
Hamilton	King	Pell	Taylor, Colo.
Haskell	Kraus	Ramsey	Thompson
Haugen	Kreider	Randall, Calif.	Upshaw
Hernandez	Langley	Randall, Wis.	Valle
Hersman	Larsen	Reed, N. Y.	Vare
Hickey	Leshner	Riddick	Venable
Hill	McClintic	Riordan	Vestal
Hoch	McKeown	Rodenberg	Voigt
Hudspeth	McLane	Rowan	Wason
Hulings	Merritt	Rowe	Watson, Va.
Humphreys	Miller	Rucker	Webster
Husted	Moore, Pa.	Sabath	Welty
Hutchinson	Moore, Va.	Sanders, Ind.	Wheeler
Igoe	Moore, Ind.	Sanders, La.	White, Kans.
Jacoway	Morin	Schall	Wilson, Ill.
James	Mudd	Scully	Winslow
Jefferis	Nelson, Wis.	Sears	Wise
Johnson, Ky.	Newton, Minn.	Snell	Wood, Ind.
Johnson, S. Dak.	Nicholls, S. C.	Steele	Woodyard
Kahn	Nichols, Mich.	Stevenson	Young, Tex.
Kearns	Nolan	Sullivan	Zihlman
Kelley, Mich.	O'Connor	Sumners, Tex.	
Kennedy, Iowa	Olney	Swope	

The committee rose; and the Speaker having resumed the chair, Mr. CAMPBELL of Kansas, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 8067 and finding itself without a quorum, under the rule he had caused the roll to be called, whereupon 279 Members answered to their names, and he presented a list of the absentees.

The committee resumed its session.

Mr. GARD. Mr. Chairman, I desire to offer the following amendment.

The Clerk read as follows:

Page 4, line 26, insert a new section to be known as section 3½: "The Commissioners of the District of Columbia are hereby empowered and directed to preserve a schedule of fees to be charged by the department of weights, measures, and markets for their services under the provisions of this bill, which schedules shall be printed and conspicuously displayed in the office of the department of weights, measures, and markets. Such schedule of fees shall be so arranged as to provide as nearly as may be for all the salaries and expenses connected with the office of the department of weights, measures, and markets, and no more. All fees collected by such department shall be paid over to the collector of taxes of the District of Columbia under regulations to be prescribed by the Commissioners of the District of Columbia and be covered into the Treasury of the United States as other revenues are now."

Mr. GARD. Mr. Chairman, the amendment I have offered as a new section is practically a reenactment of section 4 in the existing law approved March 2, 1895. It has for its purpose what I assume is the purpose of similar departments in every city in the United States, at least the cities with which I am familiar, and that is that the department should be self-sustaining as nearly as possible. In other words, where we create a public service, a service of a particular kind, to afford information or assistance to certain persons in carrying on their business, that service should be compensated for by the men for whose benefit it is. Now, the trouble with this bill is, as I view it, that the first paragraph of the bill says that it is to assemble here a great organization of people, paid by the United States of America, and no part of it should be paid by the men who directly receive the benefit.

On page 21 of the bill there is a provision for the appointment of weighmasters and for a schedule of fees to be arranged for weighmasters and those who have charge of the public scales. I assume that it is equally as proper for a man who has his goods weighed on the public scale to pay as it is for one who takes his measure and his scales under the law to the department of weights and measures in order that they may be made standard under the law. The basic idea of the bill is very good, and I am pleased to support it myself, because I think that the tendency in the development of every city is to afford the people of that city honest weights and measures. When weights and measures are fixed by legislation, they should be lived up to. That is the purpose of this bill, and the purpose is carried all the better, I think, by the provisions of section 3½, which I propose as an amendment.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. GARD. Yes.

Mr. MANN of Illinois. Under the existing system we have what is called a fee system, have we not?

Mr. GARD. Yes.

Mr. MANN of Illinois. And that is what the language of the gentleman's amendment provides?

Mr. GARD. Yes. It is what is known as a fee system.

Mr. MANN of Illinois. Under the bill it is proposed to abolish the fee system and pay the entire expense out of the General Treasury?

Mr. GARD. Yes; that is the difference between the bill now pending and the amendment which I have offered. The bill as it comes from the District of Columbia Committee pro-

vides that all these fees shall be paid out of the general revenues of the District.

Mr. MANN of Illinois. Not out of the general revenues of the District of Columbia, but out of the General Treasury, one-half of which would be paid from the revenues of the District of Columbia.

Mr. GARD. Out of the General Treasury, of which the people of the District would pay one-half and the people of the States one-half under the general plan now in existence.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GARD. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GARD. Mr. Chairman, I understand from what the gentleman said a moment ago that they thought it was not proper policy to have the fee system retained, but it seems to me it is in the interest of efficiency of service and in the interest of efficiency of public economy both to the District of Columbia and to the taxpayers throughout the United States that the people who get the benefit of the examination of scales and of all of the work that these inspectors and agents under this plan perform should pay the salary and the fees. The amendment provides that the schedule of fees shall be so arranged as to pay the salaries and expenses connected with the office of the department of weights, measures, and markets and no more. In other words, it is not a money-making enterprise, but it is an enterprise which seeks to impose upon every man who comes there to have his scales tested, to have his measures tested, the same burden as upon him who goes upon the public municipal scale with a load of merchandise and asks that it be weighed. Under the bill pending it provides that the man who takes his merchandise to have it weighed must pay for it, and under the amendment which I offer it would also provide that the man who goes down and gets the benefit of the expert opinion afforded by this department for the benefit of the people to whom he sells goods should pay the small charge for that service rendered.

Mr. MAPES. Mr. Chairman, as I said in my opening statement, it seems to me that the fee system in itself is vicious. The man whose business is inspected ought not to be called upon or allowed to pay a fee for that inspection, and a law which requires it proceeds upon a wrong theory. The inspection is required for the purpose of protecting the public, and no dealer or individual ought to be required to pay for the expenses incident to the inspection which is required for the protection of the public. Contrary to the belief of the gentleman from Ohio [Mr. GARD], the tendency of recent legislation has been to do away with the fee for the inspection, and in many of the larger cities, among them several cities of Ohio, they are abolishing the ordinances and requirements which provide that a merchant who is being inspected shall pay the fees. The Director of the Bureau of Standards in a communication to the superintendent of weights, measures, and markets went into this question very thoroughly, and without attempting to read his letter in toto I would like to read some extracts from it. He says:

In our opinion this system is a very unfortunate one and can not be recommended or defended in any case. It is in effect a tax upon the merchants for the primary protection of the general public. While it is a fact that the inspection of weights and measures undoubtedly protects the honest merchants from the injurious effects of dishonest competition by compelling all to give honest weight and measure and also protects the merchants from delivering overweight through ignorance of the condition of their apparatus, nevertheless the main object of inspection is to protect the consumer from being defrauded by the knowing use of false weights and measures by dishonest tradesmen, and this last-mentioned protection is probably the most important furnished by the department. When viewed in this light the only excuse for the fee system falls to the ground, since it is manifestly unfair to single out one class and burden them with taxes for the whole community. This service is of the character of police protection and all residents receive the benefits of the system. Therefore, the equitable way in which to distribute the cost of the system is by general taxation. \* \* \*

Further along in his letter he says:

4. Nor can the system be defended in practice. Many of the abuses found in connection with the enforcement of the weights and measures laws throughout the country can be traced to the fee system. It prevents the largest measure of cooperation between the honest merchant and the department, which is necessary before the inspection service can reach the maximum efficiency. It discourages "surprise" inspections by the department, since the merchants keep very close watch that they are not required to pay fees any oftener than is required by law. Moreover, the inspectors are constantly tempted to strain a point and put the official seal on apparatus not exactly accurate, since they know that the success or failure of the office is often measured by the amount of fees turned in. Throughout the country this system is falling into disfavor and disuse because it does not produce the best results in practice.

To this letter he attaches a list of cities which have done away with the fee system, and that list includes Akron, Cin-



cinnati, Cleveland, and Columbus, in the State of Ohio, as well as other cities, such as Atlanta, Ga., Albany, N. Y., and a great many others.

The CHAIRMAN. The time of the gentleman from Michigan has expired. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. GARD) there were—ayes 6, noes 41.  
So the amendment was rejected.

The Clerk read as follows:

Sec. 8. That when any commodity is sold by weight it shall be net weight. When any commodity, except coal, is sold by the ton, it shall be understood to mean 2,000 pounds avoirdupois. Coal shall be sold by the long ton, consisting of 2,240 pounds avoirdupois.

Sec. 9. That no person, firm, or corporation shall erect, operate, or maintain, or cause to be erected, operated, or maintained within the District of Columbia any coin-in-the-slot machine or automatic vending device without placing in charge thereof some responsible person. No such machine shall be maintained for use when the same is not in perfect working order, and the person in charge as well as the owner of such machine or device shall be held responsible for operating or maintaining any such machine or device which is not in perfect working order. A sign or placard shall be placed on every such machine or device in a conspicuous place and shall contain the name of the owner and of the person in charge of such machine or device, and shall state that the person in charge of such machine or device will refund to any person money deposited by him for which the commodity or service promised expressly or impliedly has not been received, and such person shall so refund such money.

Mr. GARD. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. GARD: Page 6, line 16, after the words "section 9," strike out all of language in lines 16, 17, 18, 19, and 20, down to and including the word "person."

Mr. GARD. Mr. Chairman and gentlemen of the committee, the language contained in this bill, it seems to me, is unnecessarily drastic in this particular provision. It provides that all automatic vending devices shall be placed in charge of a responsible person and makes it a penalty under this law if they be not. Now, we are all familiar with these automatic vending devices. Coming down the street from where I live in Washington I pass vending devices which are of great benefit to people in the vicinity in the sale of newspapers. The newspapers in the city of Washington are placed on stands with a little cup, and there is an opening on one side of the cup where one may deposit 1 or 2 pennies, as the case may be, for the particular paper. That is an automatic vending device. Now, to say that with such a state of affairs as that—and that is not an extreme case, because more people buy newspapers in the mornings coming from their homes in the city of Washington from these little automatic corner venders than from any other source. In fact, the newspapers maintain automobiles which go about filling these automatic venders and return for those which may be left after the sales are presumably over for the time for which they are issued.

Now, under this law it would be necessary to put some responsible person on every street corner in the city of Washington where the Post or the Herald or the Times or such other papers as use these automatic venders are placed, and it seems to me that the subsequent provision can be so modified as to protect what is manifestly the intent of the law, and that is to protect the vending machine from getting out of order, for the benefit of the person, young or old, who puts 1 cent or 2 cents in the slot machine.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. GARD. I do.

Mr. MANN of Illinois. Does not the gentleman think these newspaper machines are in charge of some responsible person?

Mr. GARD. No; they are not; no.

Mr. MANN of Illinois. Well, does the gentleman think the language means that somebody has got to stand over the machine all of the time?

Mr. GARD. I do not know that he has to stand over it all of the time, but the language says that some person must be in charge, must be placed in charge thereof, some responsible person.

Mr. MANN of Illinois. Some one is in charge of those machines who puts the newspapers in every morning, and I suppose takes the money out occasionally. Some one is in charge of all of those machines.

Mr. GARD. I do not think the gentleman's construction of this particular instance I cite can be the construction of this law.

Mr. MANN of Illinois. Why, it seems to me it is perfectly patent that it is the case. It is perfectly certain it is not the purpose of that language to say that some man shall stand by the machine all the time and do nothing else. Then what does it mean; that some one responsible has charge of the machine,

looks after that machine, collects the money from the machine, and is responsible to know that the machine is in order and to safeguard its getting out of order? Now, the newspaper is the person here. It does not mean the newspaper agent has to stand by the machine. It means that the newspaper or whoever is in charge knows the machine is in order within a reasonable time after it gets out of order, and if it is out of order is responsible for the money which is put in there when it gets out of order.

Mr. GARD. I agree with the gentleman that is the intent of what the proper law should be.

Mr. MANN of Illinois. I think it is what it says.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LAYTON. Mr. Chairman, I move to strike out the last word. If the amendment of the gentleman from Ohio [Mr. GARD] should prevail, does not the gentleman think that after the word "no" in line 20 you should define the word "machine"?

Mr. GARD. Oh, yes. I say if this amendment should prevail there should be an amendment after the word "no" to carry what you have in mind, that a slot or automatic vending machine should be put in there, and I will say to the gentleman that unless this language goes out here that the section is absolutely meaningless, because if there is any purpose in this particular section at all it is that these automatic devices shall be in charge of some one who will see they are honestly conducted for the public benefit.

In other words, if your child goes to a corner where there is one of these devices and puts in a penny and seeks to get a piece of candy or a small section of chocolate, it should be in repair so that the child or anybody else would get the supposed value of the money put in there. Now, to say that this must be in charge of some responsible person is to say that some one must have supervision over the continued working of these machines, not that he should come once a day and look at them, or once a week or once a month.

Mr. LAYTON. I want to say to the gentleman, so far as my experience is concerned in reference to newspapers, I do not think there is anybody in charge of them at all, except that they carry the papers there, and it is the most blessed example of trust I ever saw in my life. You may take your newspaper and need not put down your 2 cents unless you wish to do so. There is not a soul there to see whether you do or not.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. GARD].

Mr. MAPES. Mr. Chairman, without taking much of the time of the committee, I just want to call attention to the fact that in order to regulate this matter at all you have got to have somebody in charge of the machine that you can place the responsibility upon. The sentence that the gentleman from Ohio would eliminate does not mean, as the gentleman from Illinois has pointed out, that such person has got to be present all the time. Besides, I am not sure that the machines that the gentleman from Ohio has particularly referred to would come under the designation here as an automatic vending device. They are not much more of a vending device than we have down here at the foot of the stairs, where the papers are all on a table, and we go along, drop 2 cents down, and take up a paper. That is practically what is done at these paper stands on the street. But they are all in charge of somebody, I will say to the gentleman. Not long ago I was waiting for a street car on one of the corners up on the hill near where the gentleman from Ohio lives, and the man in charge of some of the paper stands to which the gentleman refers came along, unlocked the little tin can which was attached to the stand to receive the pennies, and took out the money along early in the forenoon for the papers that had been sold that day. He was in charge of that machine just as much as though he had been standing there all the time. He took the money out of the box on one corner and then went across the street and took the money out of the box there. He was just as much in charge and just as responsible for these particular machines as anyone could be.

Mr. EVANS of Nevada. I want to ask the gentleman whether regulation ought not to be given to the nickel that you drop into a telephone and do not get the hello for?

Mr. MAPES. You do not drop the nickel in, as a rule, until the operator has answered your call.

Mr. EVANS of Nevada. It seems to me that is a more important thing than these papers.

Mr. MAPES. It is true that it is a very annoying thing.

Mr. MANN of Illinois. Mr. Chairman, I make a motion to perfect the section.

I would like to call the attention of the gentleman from Ohio [Mr. GARD] to the latter provision of this section, which, it seems to me, is the real and only important part of it. It provides for naming some person who shall be in charge of a

machine. It then provides there shall be placed on such machine a placard or device of some kind giving the name of the owner and the person in charge. It then provides that if the machine does not work the money shall be refunded by the owner or person in charge.

Now, the language the gentleman proposes to strike out by his amendment is only preliminary to the essence of this section. It simply provides that you must name some one as the person in charge. Thereupon you must put upon the machine itself the name of the owner and the person in charge, and such person must be prepared to refund any money which is put into the machine without its operation. I do not know whether that ought to be done or not. I do not know how much intentional or unintentional fraud may be carried on by these machines. I seldom patronize any kind of slot machine myself and I have not any children to do it. But if we intend to say that the name of the person in charge shall be placed on the machine, then we ought to say as a preliminary that there shall be a person in charge.

Mr. GARD. Will the gentleman yield?

Mr. MANN of Illinois. I yield.

Mr. GARD. I agree with the gentleman that the latter part of the section, beginning on line 25, providing for the placing of placards of identification, is the important part of it. I am interested to know what is the gentleman's definition of the words "without placing in charge thereof some responsible person."

Mr. MANN of Illinois. I think that only means that you must put upon these machines the name of the owner of the machine and the name of some responsible person in the District of Columbia who will refund any money improperly collected. I think it is perfectly clear that is what it means.

Mr. GARD. No.

Mr. MANN of Illinois. Now, of course, if the owner is in the District of Columbia himself, he puts his own name as both the owner and the person responsible. But a large share of these machines are owned outside of the District of Columbia, and they ought to name somebody in the District to whom people will know they can go and collect the money. Ordinarily, probably, it might be a storekeeper in whose store the machine is kept or it might be they would have a general office in the District. That would be sufficient. That covers the trouble. It is the purpose of the section.

Mr. GARD. Does not the gentleman think that all the purposes of the section would be carried out by the language to which he has referred, and the language which I seek to strike out is but an unnecessary and confusing preliminary?

Mr. MANN of Illinois. No. You have got to say, first, that there shall be a person in charge before you say they shall name the person in charge. Unless you say there shall be a person in charge, you can not put any provision here that they shall put on the name of the person in charge, because if they do not have anybody in charge then they do not name anybody in charge, and they are not violating the law by not naming anybody in charge.

Mr. LAYTON. Will the gentleman yield for a moment?

Mr. MANN of Illinois. I think the gentleman from Ohio has in mind the fact that it is unnecessary to have a person in charge mentioned in the same section twice.

Mr. GARD. Yes. My contention is that the latter part of the section, beginning on line 25 and including the lines on page 7, is a complete statement of what is necessary and the proper one, because, as the gentleman from Illinois has indicated, the slot-machine business in the selling of candy and gum is, in some places, a very considerable business.

The CHAIRMAN. The time of the gentleman from Illinois has expired. The question is on the amendment offered by the gentleman from Ohio [Mr. GARD].

The question was taken; and the Chair announced that the yeas seemed to have it.

On a division (demanded by Mr. GARD), there were—ayes 11, yeas 34.

So the amendment was rejected.

Mr. LANHAM. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LANHAM: Page 7, line 2, after the word "name" insert the words "and business address."

Mr. LANHAM. Mr. Chairman and gentlemen, I think the purpose of this amendment is obvious. The name of the owner of one of these machines or the person in charge, for example, might be John Smith, but it would be very difficult to locate John Smith without the business address being given.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas.

The amendment was agreed to.

Mr. CONNALLY. Mr. Chairman, I offer an amendment. In lines 19 and 20 strike out the words "placing in charge thereof" and insert in lieu thereof the word "designating," and after the word "person," in line 20, insert the language "who shall be responsible for the operation of such machine or device."

The CHAIRMAN. The gentleman from Texas will reduce his amendment to writing to send it to the Clerk's desk.

Mr. CONNALLY. It seems to me, Mr. Chairman and gentlemen of the committee, that there is merit in this amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CONNALLY: Page 6, line 19, after the word "without" strike out the words "placing in charge thereof" and insert in lieu thereof the word "designating," and after the word "person," in line 20, insert the words "who shall be responsible for the operation of such machine or device."

Mr. CONNALLY. Mr. Chairman and gentlemen of the committee, it seems to me that the objection of the gentleman from Ohio [Mr. GARD] is somewhat well taken. The language of this bill as it was drafted by the committee says that "no person, firm, or corporation shall erect, operate, or maintain, or cause to be erected, operated, or maintained within the District of Columbia any coin-in-the-slot machine or automatic vending device without placing in charge thereof some responsible person." It is explained that the object of this provision is simply to require that some responsible person be charged with responsibility for the operation of that machine.

Mr. MAPES. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY. I yield to the gentleman from Michigan.

Mr. MAPES. Does the gentleman think that his suggested amendment changes the intent of the law at all, or the language of the law, when you read the next paragraph in connection with it?

Mr. CONNALLY. I have read the other. I know what it means.

Mr. MAPES. You have read the sentence?

Mr. CONNALLY. Certainly.

Mr. MAPES. Does the gentleman think that it adds anything to the language of the bill?

Mr. CONNALLY. I do not pretend that I possess any power in framing language superior to the committee, but at the same time my amendment makes it clear and plain what the chairman of the committee says is meant by the bill. I think that the language used by the committee is unfortunate because it is not clear. If it would confuse a man of the legal attainments and erudition of the gentleman from Ohio [Mr. GARD], it would certainly confuse some of these weight-and-measure inspectors that the committee is going to have in charge of the execution of this bill.

Mr. MAPES. Of course, that is a very strong argument in favor of its being inserted. But it seems to me when you read the sentence the gentleman's language simply duplicates the language of the next section.

Mr. CONNALLY. That may be in a measure true. If you study and work over it and figure it out, you may probably arrive at what the committee wants to do, but why not say what you mean in plain language? Why employ language that requires a lawyer to construe the provisions of this act? I suppose this bill was written by the man who is going to have charge of its operation. I am almost sure of that, because the chairman himself has suggested that some other provision of the bill was written in a certain way because the man who will have charge of the enforcement of the act did not want it another way. When we make a penal statute it seems to me we should make it plain enough that any huckster could understand it. My amendment simply makes clear what the chairman says is meant by the bill. It would be absolutely foolish, of course, to require every owner of one of these devices to have a man in charge of it standing there over it to see that it properly operates, because it would absolutely destroy the use of that machine, because when you put a man in charge of it you destroy the automatic part of it and make it impossible to operate it profitably. Otherwise the man could go ahead and sell the products himself.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. CONNALLY].

The question was taken, and the Chairman announced that the yeas appeared to have it.

Mr. CONNALLY. Mr. Chairman, I ask for a division.

The CHAIRMAN. The gentleman from Texas asks for a division.

The committee divided; and there were—ayes 13, yeas 24.

So the amendment was rejected.



Mr. BLANTON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas moves to strike out the last word.

Mr. BLANTON. Mr. Chairman, we have just had an extensive debate, pro and con and con and pro, on the subject of automatic newspaper vending machines that are found on some of the street corners of the city of Washington. These machines sell the Washington Herald, which sells for 1 cent per copy in the morning, and also sell other of the Washington newspapers selling for 2 cents a copy, and we have now spent practically all of the day on this measure. We spent all of Thursday and all of Friday and part of this morning on a measure which changed the sacks containing flour and meal from 3, 6, 12, 24, and 48 pounds each to 5, 10, 25, and 50 pounds, and so on. I just want to ask our Republican friends on the other side of the House how much longer they think the country is going to stand for Congress wasting its time on such chicken-feed legislation? Last Thursday, Friday, Saturday, Sunday, and most of this Monday has been wasted with nothing accomplished except the chicken-food measure mentioned above.

Mr. LAYTON. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman will state it.

Mr. LAYTON. The same point of order that I suggested some time ago, Mr. Chairman, and if the gentleman from Texas is trying to save time why does he not quit?

The CHAIRMAN. The Chair will rule. The gentleman from Texas is not discussing any matter germane to the bill.

Mr. BLANTON. I would like the gentleman from Delaware, without looking at the bill, to tell me what was the word I moved to strike out. He does not know whether I am discussing that very word in the sentence or not. If he looks at it, he might find out. I am discussing the proposition that the people of this country expect the Congress of the United States to get down to business, reconstruction business, that will bring about better conditions in this country. [Applause.]

Mr. LAYTON. We can not do it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 10. That every person, firm, or corporation shall, when a sales ticket is given with a purchase, cause such sales ticket to show the correct name and address of such person, firm, or corporation and the weight, measure, or numerical count, as the case may be, of each commodity sold to such purchaser, and every such person, firm, or corporation is hereby required to deliver such sales ticket to such purchaser when requested to do so by such purchaser at the time of the sale.

Mr. GARD. Mr. Chairman, I move to strike out section 10.

The CHAIRMAN. The gentleman from Ohio moves to strike out section 10.

Mr. GARD. I do this because I desire information as to just what the section means. It seems to me it is practically useless. It provides that certain things shall be done when a sales ticket is given with the purchase. In other words, it does not require a sales ticket to be given with the purchase unless the purchaser makes a request for it at the time of the sale. That appears in lines 16 and 17. Now, granting that there may be some benefit to come to one who buys from having this sales ticket, it seems to me the section as it now reads does not care for anybody, because it makes no provision for the compulsory giving of a sales ticket with each purchase. It provides that certain things shall be done when a sales ticket is given, but makes no provision that a sales ticket shall be given unless the purchaser demands it.

Mr. WOODS of Virginia. The last clause of the section requires the giving of a sales ticket whenever requested by the purchaser.

Mr. GARD. That does not mean anything, because not 1 person in 500 who goes into a grocery store or other place and buys 10 or 15 or 25 cents' worth of merchandise will request a sales ticket. Now, if it is the idea to make a system of identification necessary with every purchase, then it seems to me the law should be arbitrary and positive in requiring a sales ticket to be given.

Mr. WALSH. Will the gentleman yield?

Mr. GARD. I yield to the gentleman from Massachusetts.

Mr. WALSH. Does not the gentleman think we are going far enough when we give the purchaser the privilege of demanding a sales slip and then let him exercise his discretion?

Mr. GARD. I say that does not amount to anything. If we are to embark on this scheme of legislation at all, we should require sales tickets to be given with purchases.

Mr. WALSH. Does the gentleman think people going in to buy a yeast cake or 5 cents' worth of crackers will always want a sales slip?

Mr. GARD. No; I do not think so; and yet in many places sales tickets are given, as the gentleman knows. The tendency seems to be now that when you go to a store and buy from a clerk the clerk gives you a sales ticket, which you take to the cashier—it makes no difference whether you buy a cake of yeast or a ham, assuming that one is well enough off to buy a ham occasionally, as the gentleman from Massachusetts is. But my contention is that as this section 10 now reads it does not apply to anything except where a man asks for it.

Mr. WALSH. Why should it?

Mr. GARD. If it is to accomplish any purpose at all, it should be a general sales ticket to be given by the seller for the benefit of the purchaser, without the purchaser being compelled to ask for it.

Mr. REED of West Virginia. Will my colleague yield?

Mr. GARD. Yes.

Mr. REED of West Virginia. Does my colleague think every time a person makes a small purchase at a store he should be compelled to wait for a sales ticket? He may want to get something in a hurry and put it in his pocket and catch a street car in a few seconds, and he would not want to bother with a sales ticket; but when the housewife orders things by phone, as a great many of them do, she ought to be protected by demanding and receiving a sales ticket with the article she buys. Some of the articles might be lost by the carrier. She ought to be further protected as to the weights and quantities she ordered by phone, and thus be able to establish a claim for any false weights.

Mr. GARD. The only thing, in my mind, is whether you should make it general. A man does not want to make out a sales ticket unless he has to.

Mr. REED of West Virginia. I think the section is all right as it stands.

The CHAIRMAN. The question is on the amendment of the gentleman from Ohio [Mr. GARD].

The question being taken, the amendment was rejected.

Mr. SAUNDERS of Virginia. Mr. Chairman, I move to strike out in line 13 the last word of the line, the word "such." I call the attention of the chairman of the Committee on the District of Columbia to the fact that the word "such" in that connection is not appropriate, and that instead of the word "such" the word "the" should be inserted.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SAUNDERS of Virginia: Page 7, line 13, strike out the word "such" at the end of the line and insert in lieu thereof the word "the."

Mr. MAPES. It seems to me that is all right, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. SAUNDERS].

The amendment was agreed to.

Mr. SAUNDERS of Virginia. As a consequential amendment the same thing should be done in line 15 and in line 16.

Mr. MANN of Illinois. Oh, no; it is all right there.

The CHAIRMAN. Does the gentleman from Virginia offer an amendment?

Mr. SAUNDERS of Virginia. It is suggested that it is not necessary in that connection. I will admit that the same reason for it does not exist as in the first instance.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 11. That it shall be unlawful to sell or offer for sale in the District of Columbia any coal, charcoal, or coke in any other manner than by weight. No person shall deliver or attempt to deliver any coal, charcoal, or coke without accompanying same by delivery ticket and a duplicate thereof, the original of which shall be in ink or other indelible substance, on each of which shall be expressed distinctly in pounds, avoirdupois, the gross weight of the load, the tare of the delivery vehicle or receptacle, and the net weight of coal, charcoal, or coke contained in the vehicle or receptacle used in making delivery, with the name and address of the purchaser and the name and address of the person, firm, or corporation from whom or which purchased. Upon demand of the superintendent or any of his assistants or inspectors upon the person in charge of the vehicle of delivery, the original of these tickets shall be surrendered to the official making such demand. The duplicate ticket shall be delivered to the purchaser of said coal, charcoal, or coke, or to his agent or representative, at the time of delivery of such coal, charcoal, or coke. Upon demand of the superintendent or any of his assistants or inspectors, or of the purchaser or intended purchaser, his agent or representative, the person delivering such coal, charcoal, or coke shall convey the same forthwith to some public scale, or to any legally approved private scale in the District of Columbia, the owner of which shall consent to its use, and shall permit the verifying of the weight, and after the delivery of such coal, charcoal, or coke shall return forthwith with the wagon or other conveyance used to the same scale and permit to be verified the weight of the wagon or other conveyance: *Provided*, That when coal, charcoal, or coke is sold in a quantity less than 280 pounds and is not weighed in a wagon, cart, or other vehicle, it shall be sufficient for the seller to deliver to the purchaser, his agent or representative, a ticket showing

the name and address of the vendor, the name of the purchaser, and the true net weight of the coal, charcoal, or coke so sold or delivered: *Provided further*, That when coal, charcoal, or coke is sold in packages of 50 pounds or less, it shall be sufficient to plainly mark each package with the name of the person, firm, or corporation making such package and the true net weight of the coal, charcoal, or coke contained therein. No coal, charcoal, or coke shall be sold which contains at the time the weight is taken more water or other liquid substance than is due to the natural condition of the coal, charcoal, or coke.

Every vendor of coal, charcoal, or coke shall cause his name and address to be conspicuously displayed on both sides of every vehicle used by or for him for the sale or delivery of coal, charcoal, or coke.

Mr. BANKHEAD. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee two questions with reference to the section. I should like to ask what is intended by the phrase in line 14:

Or of the purchaser or intended purchaser.

What significance has that in connection with the duty imposed? What is meant by "intended purchaser"?

Mr. MAPES. The gentleman from Alabama has probably as clear a notion of that as anyone.

Mr. BANKHEAD. No; I have not. I am asking for real information on it.

Mr. MAPES. The intended purchaser might not want the coal if it was not of full weight. He might change his mind and might not become a purchaser until the delivery was actually made.

Mr. BANKHEAD. In other words, he might make a tentative agreement to buy it, provided it came up to the weight?

Mr. MAPES. If he ordered a ton of coal and got only 1,900 pounds he might say he did not want it.

Mr. BANKHEAD. In lines 17 and 18 it provides that—

the person delivering such coal, charcoal, or coke shall convey the same forthwith to some public scale or to any legally approved private scale in the District of Columbia, the owner of which shall consent to its use.

Is that word "shall" there intended to mean that it is mandatory upon the owner of the private scale to consent to its use for that purpose without compensation and without regard to the convenience or inconvenience of its use?

Mr. MAPES. I should say not.

Mr. BANKHEAD. Does not the gentleman think the word "shall" should be changed to the word "may"?

Mr. MAPES. Personally I think it is quite immaterial.

Mr. BANKHEAD. If the language is left in its present form you are putting an imperative duty upon the owner of a private scale to consent to its use.

Mr. MAPES. I think nobody would construe the language to mean that.

Mr. BANKHEAD. That is what it says. Mr. Chairman, I move to strike out the word "shall" and insert the word "may."

The Clerk read as follows:

Page 8, line 18, at the beginning of the line strike out the word "shall" and insert the word "may."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama.

The question was taken, and the amendment was agreed to.

Mr. GARD. Mr. Chairman, I move to strike out the last word. I am asking the chairman of the committee whether there is sufficient protective legislation in the language of the bill as it appears on page 8, line 22, following down to line 4, on page 9. The gentleman has said—and, I presume, very well said—that much of the evil in the city of Washington is caused by people buying very small amounts of coal. This provides that where it is sold in quantities less than 280 pounds, not weighed in the coal wagon, it shall be sufficient to deliver to the purchaser a ticket showing the name and address of the vendor. What good is going to be done by giving the purchaser a ticket unless, to carry out the idea, as we did in regard to the weighing machines, we provide that he is entitled to full weight? Because if one buys 60 pounds of coal he gets a ticket for 60 pounds, but in fact only gets 50 pounds of coal. The only good he gets in addition to the burning of 50 pounds of coal is that he may burn the ticket. [Laughter.]

Mr. MAPES. If the gentleman will read the further provisions of the bill he will find that they require the dealer to put on the ticket that he puts on the sack the true net weight. The purchaser of small lots of coal put up in sacks does not have that protection under the existing law which the law gives to those who buy in large enough quantities to have their coal delivered in wagons. There is no law which requires a dealer who delivers coal in sacks to put in any specific weight. He does not often sell it by weight. The information that came to the committee was that dealers in some cases got as high as \$25 a ton for coal put up in sacks and delivered to poor people who could not afford to buy coal in quantities of a ton.

Mr. GARD. What is the good of giving the man a ticket unless the ticket is going to accomplish something for him. The

seller gives the purchaser a ticket, but the ticket may be willfully or mistakenly wrong.

Mr. MAPES. If the gentleman will read the subsequent part of the paragraph he will see that it requires the vendor to put in the true net weight.

Mr. GARD. That does not make any difference. Suppose he puts the true net weight on the ticket, there is nothing in the bill which provides that the vendor shall give to the purchaser that which is upon his ticket. There is no penalty attached to it.

Mr. MAPES. There is a penalty of \$500 fine or six months in jail for the violation of any provision of the act.

The CHAIRMAN. The time of the gentleman from Ohio has expired, and the pro forma amendment is withdrawn.

The Clerk read as follows:

SEC. 12. That it shall be unlawful to sell, within the District of Columbia, any ice in any manner than by weight, such weight to be ascertained at the time of delivery of such ice, and every person, or in case of a firm, copartnership, or corporation, the person in charge of its business in the District of Columbia, engaged in the sale of ice shall keep on each of his or its wagons or other vehicles used in the sale or delivery of ice, while in use, a scale suitable for weighing ice which has been tested and approved in accordance with the provisions of this act. Every scale used for weighing ice in making sales in quantities of 100 pounds or less shall have graduations of 1 pound or less. Scales used for weighing ice in making sales in quantities of more than 100 pounds may have graduations of 5 pounds or less.

Mr. BANKHEAD. Mr. Chairman, I offer an amendment to correct a typographical omission.

The Clerk read as follows:

Page 9, line 19, before the word "manner," insert the word "other," so that it will read "ice in any other manner than by weight."

The amendment was agreed to.

The Clerk read as follows:

SEC. 13. That the standard loaf of bread manufactured for sale, sold, offered or exposed for sale in the District of Columbia shall weigh 1 pound avoirdupois, but bread may also be manufactured for sale, sold, offered or exposed for sale in loaves of one-half pound, or in multiples of 1 pound, but shall not be manufactured for sale, sold, offered, or exposed for sale in other than the aforesaid weight. Every loaf of bread manufactured for sale, sold, offered, or exposed for sale in the District of Columbia shall have affixed thereon, in a conspicuous place, a label at least 1 inch square, or, if round, at least 1 inch in diameter, upon which label there shall be printed in plain bold-face Gothic type, not smaller than 12 point, the weight of the loaf in pound, pounds, or fraction of a pound, as the case may be, whether the loaf be a standard loaf or not, the letters and figures of which shall be printed in black ink upon white paper. The business name and address of the maker, baker, or manufacturer of the loaf shall also be plainly printed on each such label. Every seller of bread in the District of Columbia shall keep a suitable scale, which shall have been inspected and approved in accordance with the provisions of this act, in a conspicuous place in his bakery, bakeshop, or store, or other place where he is engaged in the sale of bread, and shall, whenever requested by the buyer, and in the presence of the buyer, weigh the loaf or loaves of bread sold or offered, for sale. Nothing herein shall apply to crackers, pretzels, buns, rolls, scones, or loaves of fancy bread weighing less than one-fourth of 1 pound avoirdupois, or to what is commonly known as stale bread, provided the seller shall, at the time the sale is made, expressly state to the buyer that the bread so sold is stale bread: *Provided*, That any loaf of bread weighing within 10 per cent in excess or within 4 per cent less than standard weight shall be deemed of legal weight.

Mr. GARD. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman what is meant by leaving out crackers, pretzels, buns, rolls, fancy bread, and so forth. I can see why pretzels should be left out at this time, but why crackers put up in standard packages, pounds and half pounds, made by bakers, should be left out I can not see. Can the gentleman advise me why these particular products should not be included in the weight measurement?

Mr. MAPES. Assuming that the gentleman from Ohio is asking the question in good faith, I will say that it would seem that if crackers were required to be of a pound or half pound weight, they would be some crackers.

Mr. GARD. Packages of crackers might weigh that.

Mr. MAPES. This section only proposes to fix the standard for loaves of bread, and does not provide for the sale of anything in packages.

Mr. GARD. The gentleman is following his own argument. This provides that it shall not apply to crackers, pretzels, buns, and so forth, weighing less than one-fourth of 1 pound avoirdupois; that is, it does not apply to a cracker weighing less than one-fourth of a pound. Those are things that we should take cognizance of, and I am speaking of the bill seriously, and I ask the gentleman what does the gentleman mean by crackers weighing a quarter of a pound and pretzels weighing a quarter of a pound?

Mr. MADDEN. What States do crackers come from?

Mr. GARD. They have crackers in Georgia.

Mr. MADDEN. That is what it refers to.

Mr. PLATT. Has the gentleman from Ohio taken into account the significance of the word "biscuit"?



Mr. GARD. Biscuit may be included under the common acceptance of the word bun.

Mr. PLATT. I do not think that is a satisfactory answer.

Mr. SAUNDERS of Virginia. Mr. Chairman, I want to offer an amendment to the section. I call the attention of the gentleman from Michigan [Mr. MAPES] to the fact that as the language is now it gives room to the interpretation suggested by the gentleman from Ohio [Mr. GARD].

Mr. MAPES. Let me ask the gentleman from Virginia this question—

Mr. SAUNDERS of Virginia. In a moment. I suggest that in line 10 on page 11 the word "to" be inserted after the word "or," so that it will remove all question as to the application of the section to the articles enumerated. It would then read:

Nothing herein shall apply to crackers, pretzels, buns, rolls, scones, or to loaves of fancy bread weighing less than one-fourth of 1 pound avoirdupois.

Mr. MAPES. Does not the gentleman think that when they weigh more than one-fourth of 1 pound they cease to be pretzels, buns, crackers, and so forth?

Mr. SAUNDERS of Virginia. Oh, very reasonably you might have a roll big enough to weigh one-quarter of a pound.

Mr. MAPES. I have no objection to the gentleman's suggestion.

Mr. SAUNDERS of Virginia. Then I move to amend in line 10 on page 11 by inserting the word "to" after the word "or."

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SAUNDERS of Virginia: Page 11, line 10, after the word "or" insert the word "to."

Mr. MANN of Illinois. Mr. Chairman, I do not oppose the amendment. However, I think it is entirely unnecessary. It only illustrates how important a comma sometimes may be. If the comma were stricken out after the word "scones" the language would mean entirely different from what it is with the comma there. With the comma there, the amendment offered by the gentleman from Virginia is unnecessary, and by leaving the comma in and inserting the word "to" you duplicate grammatically something that is accomplished by either one. It is rather dangerous, however, to legislate and fix the meaning of a statute so that a very important meaning may depend merely upon the insertion of a comma which might be left out, and inasmuch as the Printing Office is a law unto itself in regard to punctuation, as I suggest, it would be a dangerous thing. The Printing Office never has followed and never will follow the insertion of commas by a Member of Congress in bills which he introduces; and how this committee ever managed to get the interpretation of the Printing Office here that a comma is necessary after this word, and how it ever succeeded in having it put in instead of having it left out, I do not know, but it must have been by special dispensation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The amendment was agreed to.

Mr. GARD. Mr. Chairman, I move to amend, on page 11, by striking out the proviso beginning on line 15.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 11, line 15, after the semicolon, strike out the remainder of the section.

Mr. GARD. Mr. Chairman, this section 13 provides for a standard loaf of 1 pound avoirdupois, and in the provision it appears that 4 per cent less than that shall be deemed the legal weight. In other words, with 16 ounces in a pound, for bread, for legal purposes in this weight, 12 ounces shall do—

Mr. MAPES. Oh, no.

Mr. MANN of Illinois. Four per cent of 16 ounces is all that is meant.

Mr. MAPES. Four per cent of 16 ounces is 0.64 of an ounce.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio.

The amendment was rejected.

The Clerk read as follows:

SEC. 14. That bottles or jars used for the sale of milk or cream shall be of the capacity of 1 gallon,  $\frac{1}{2}$  gallon, 3 pints, 1 quart, 1 pint,  $\frac{1}{2}$  pint, or 1 gill when filled to the bottom of the cap seat, stopple, or other designating mark. Such bottles or jars shall have clearly blown or otherwise permanently marked in the side of each such bottle or jar or printed on the cap or stopple the name and address of the person, firm, or corporation who or which shall have bottled such milk or cream. Any person who uses, for the purpose of selling milk or cream, bottles or jars which do not comply with the requirements of this section shall be deemed guilty of using false measure.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. I assume that the purpose of this bill is to establish

some standard by means of which we will be able to get what we buy, reduce the cost of living, and make the standard of food better and the health of the people more secure; but I notice that the language of this section of the bill provides that the name of the person bottling milk must be clearly blown in the bottle or printed on the cap or stopple. Of course, that necessitates special bottles, or at least a special stopple, and all of that adds to the value or cost of the bottle, and, therefore, adds to the price of the milk. I do not know what the price of milk is, but it is so high that most of us can not buy it, and to get butter or sugar or anything of that sort is impossible. Every time we legislate here, however, we seem to be legislating to add new costs to the things that we have to eat or the things that we have to use in some way. This kind of legislation does not add anything to the value of the commodity that we have to use. It merely makes the price of living a little higher, as well perhaps as the price of dying. Why all these fads I do not know, except it be for the purpose of taking up the time of Congress. The interest manifested in this sort of legislation is indicated by the number of Members who are absent from their seats.

We just passed a nation-wide standard flour-barrel bill, which makes the standard barrel of flour weigh 200 pounds instead of 196 pounds, and provides that nothing in the shape of flour or bran or meal or corn products shall be shipped in anything else than a certain multiple of a 200-pound container. Of course, that does not apply to the farmer, and it is well, because he is the only man who is exempt from all kinds of regulations, as he ought to be, for he has no hours. He works when the world is asleep, and his farm is working while he is asleep, accumulating wealth by the development of newborn stock, by his growing fields of grain, while the dew dwells upon the fields in the morning and helps to fill the growing grain with riches. But here we are again this gloomy, rainy day—

Mr. REED of West Virginia. Oh, there is a rainbow somewhere.

Mr. MADDEN. Oh, no; you could not have a bow and you could not mix the bow with the rain. I can very well understand how after having a rainstorm the sun may shine through and we may have a rainbow, but—

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BLANTON. I want to suggest to the gentleman from Illinois that he ought not to call attention to the fact that there are but 14 Republican Members here to pass this legislation, or the gentleman from Delaware [Mr. LAYTON] might not want that to go into the Record. There are exactly 14 Republican Members sitting on the floor attending to business.

Mr. MADDEN. I really have not taken the pains to count the number either of Democrats or Republicans, but this is a non-partisan measure.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent to proceed for five minutes, as I desire to discuss this bill on its merits.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] asks unanimous consent for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. Now, you say "that bottles or jars used for the sale of milk or cream shall be of the capacity of 1 gallon." Now, most people can not afford to buy a gallon of milk, and certainly can not afford to buy a gallon of cream. We are very lucky in our house if we can get a 4-ounce bottle of cream, to say nothing about a gallon—"half gallon, 3 pints, 1 quart, 1 pint, half pint, or 1 gill"—that fills the bill as far as we are concerned at our place—"when filled to the bottom of the cap seat, stopple, or other designating mark." Most fellows are willing to stand up and drink cream or milk—

Mr. LAZARO. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. LAZARO. Does the gentleman mean to say that things are as bad as he has pictured?

Mr. MADDEN. That you can not sit down to drink—

Mr. LAZARO. And while the Republicans are in control of both Houses?

Mr. MADDEN. It is not a matter of who is in control. On the question of milk or cream whether you have got a place to sit upon has got nothing to do with politics. Now it says:

Such bottles or jars shall have clearly blown—

That is, I do not know whether they are to be fly blown [laughter] or not, or whether the name has to be blown in the bottle in the blast—

or otherwise permanently marked in the side of each such bottle or jar—

Now how you can mark it permanently without blowing in the bottle I do not know—

in the side of each such bottle or jar or printed on the cap or stopple the name and address of the person, firm, or corporation through or which shall have bottled such milk or cream. Any person who uses, for the purpose of selling milk or cream, bottles or jars which do not comply with the requirements of this section shall be deemed guilty of false measure.

You see it is not a question of measure we are dealing with; it is a question of whether you are going to authorize somebody or compel somebody to use a bottle with the name blown in it.

Mr. LAYTON. Not necessarily.

Mr. MADDEN. Oh, yes.

Mr. LAYTON. It may be marked on the paper.

Mr. MADDEN. This bill says if you use anything else except the bottle or jar or receptacle with the name blown in it, or plainly marked on the stopple—

Mr. LAYTON. Or the cap.

Mr. MADDEN. Or the cap.

Mr. LAYTON. The cap is paper.

Mr. MADDEN. Whatever it is. It comes directly to the point that we are not dealing with the question of whether the measure is correct or not. We are dealing with the question of whether it has a mark upon it. What does that mean? It means an addition to the cost. It means you compel the poor people of the District of Columbia to buy their milk or cream from those who can afford to have their own bottles made with their names blown in them. That is what it means. It does not say the bottle shall be of the size requisite to contain a given quantity of milk or cream. It says the name must be blown in the bottle, and so it is not the quality or quantity of the milk you are seeking to protect, but the monopoly of such dealers as can pay for having their names blown in the bottles. There is no consideration given to the mere consumer. All he is required to do is to pay the bills, while the milk baron who can have his bottles made with his name blown in continues to charge what he pleases while the children of the poor, who are unable to pay the price, go hungry. But who cares for that if the man with his name on the bottle is protected.

The CHAIRMAN. The time of the gentleman has expired; all time has expired.

Mr. LAYTON. Mr. Chairman, I move an amendment. Being in entire sympathy with the solicitude of the gentleman from Illinois with respect to this section, I move to strike out line 22, beginning with the word "such" and ending with the word "cream," on page 12.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LAYTON: Page 11, line 22, after the word "mark," strike out lines 22, 23, 24, and 25, and line 1, on page 12, to and including the word "cream."

Mr. MAPES. Mr. Chairman, I am sorry that the gentleman from Delaware [Mr. LAYTON] has been so overcome by the remarks of the gentleman from Illinois [Mr. MADDEN]. This provision of this bill I do not imagine will require a bit more work or more labeling on the bottles of milk delivered in the District of Columbia than are now put on them by every milk dealer in the District, and I hope the amendment will not prevail.

The question was taken, and the Chair announced the yeas appeared to have it.

On a division (demanded by Mr. MADDEN and Mr. BLANTON) there were—ayes 5, yeas 18.

So the amendment was rejected.

The Clerk read as follows:

Sec. 15. That standard containers for the sale of fruits, vegetables, and other dry commodities in the District of Columbia shall be as follows:

(a) That standard barrel for fruits and vegetables, other than cranberries, shall be of the following dimensions when measured without distinction of its parts: Length of stave, 28½ inches; diameter of heads, 17½ inches; distance between heads, 26 inches; circumference of bulge, 64 inches, outside measurement; and the thickness of staves not greater than four-tenths of an inch. *Provided*, That any barrel of a different form having a capacity of 7,056 cubic inches shall be a standard barrel. The standard barrel for cranberries shall be of the following dimensions when measured without distinction of its parts: Length of staves, 28½ inches; diameter of head, 16½ inches; distance between heads, 25½ inches; circumference of bulge, 58½ inches, outside measurement; and the thickness of staves not greater than four-tenths of an inch. It shall be unlawful to sell, offer, or expose for sale in the District of Columbia a barrel containing fruits or vegetables or any other dry commodity of less capacity than the standard barrels defined in this act, or subdivisions thereof known as the third, half, and three-quarter barrel.

(b) Standards for Climax baskets for grapes and other fruits and vegetables shall be the 2-quart basket, 4-quart basket, and 12-quart basket, respectively.

The standard 2-quart Climax basket shall be of the following dimensions: Length of bottom piece, 9½ inches; width of bottom, 3½ inches; thickness of bottom, three-eighths of an inch; height of basket, 3½ inches, outside measurement; top of basket, length 11 inches and width

5 inches, outside measurement. Basket to have a cover 5 by 11 inches, when a cover is used.

The standard 4-quart Climax basket shall be of the following dimensions: Length of bottom piece, 12 inches; width of bottom piece, 4½ inches; thickness of bottom piece, three-eighths of an inch; height of basket, 4½ inches, outside measurement; top of basket, length 14 inches; width 6½ inches, outside measurement. Basket to have cover 6½ inches by 14 inches, when cover is used.

The standard 12-quart Climax basket shall be of the following dimensions: Length of bottom piece, 16 inches; width of bottom piece, 6½ inches; thickness of bottom piece, seven-sixteenths of an inch; height of basket, 7½ inches, outside measurement; top of basket, length 19 inches, width 9 inches, outside measurement. Basket to have cover 9 inches by 19 inches, when cover is used.

(c) The six-basket carrier crate for fruits and vegetables shall contain six 4-quart baskets, each basket having a capacity of 268.8 cubic inches.

(d) The four-basket flat crate for fruits and vegetables shall contain four 3-quart baskets, each basket having a capacity of 201.6 cubic inches.

(e) The standard box, basket, or other container for berries, cherries, shelled peas, shelled beans, and other fruits and vegetables of similar size shall be of the following capacities standard dry measure: One-half pint, pint, and quart. The one-half pint shall contain 16.8 cubic inches; the pint shall contain 33.6 cubic inches; the quart shall contain 67.2 cubic inches.

(f) Standard lug boxes for fruits and vegetables shall be the one-half bushel box and the 1-bushel box.

The one-half bushel lug box shall be of the following inside dimensions: Length, 17 inches; width, 10.5 inches; depth, 6 inches.

The 1-bushel lug box shall be of the following inside dimensions: Length, 20½ inches; width, 13 inches; depth, 8 inches; and no lug box of other than the foregoing dimensions shall be used in the District of Columbia.

(g) The standard hampers for fruits and vegetables shall be the 1-peck hamper, one-half bushel hamper, 1-bushel hamper, and 1½-bushel hamper.

The 1-peck hamper shall contain 537.6 cubic inches, the one-half bushel hamper shall contain 1,075.21 cubic inches, the 1-bushel hamper shall contain 2,150.42 cubic inches, and the 1½-bushel hamper shall contain 3,225.63 cubic inches.

(h) The standard round-stave baskets for fruits and vegetables shall be the one-half bushel basket, 1-bushel basket, 1½-bushel basket, and 2-bushel basket.

The one-half bushel basket shall contain 1,075.21 cubic inches, the 1-bushel basket shall contain 2,000 inches, the 1½-bushel basket shall contain 3,225.63 cubic inches, and the 2-bushel basket shall contain 4,300.84 cubic inches.

(i) The standard apple box shall contain 2,173.5 cubic inches and be of the following inside dimensions: Length, 18 inches; width, 11½ inches; depth, 10½ inches.

(j) The standard pear box shall be of the following inside dimensions: Length, 18 inches; width, 11½ inches; depth, 8½ inches.

(k) The standard onion crate shall be of the following inside dimensions: Length, 19½ inches; width, 11½ inches; depth, 9½ inches.

(l) No person shall sell, offer, or expose for sale in the District of Columbia any fruits, vegetables, grain, or similar commodities in any manner except in the standard containers herein prescribed or by weight or numerical count; and no person shall sell, offer, or expose for sale, except by weight or numerical count, in the District of Columbia any commodity in any container herein prescribed which does not contain, at the time of such offer, exposure, or sale, the full capacity of such commodity compactly filled: *Provided*, That fresh beets, onions, turnips, rhubarb, and other similar vegetables, usually and customarily sold by the bunch, may be sold by the bunch.

All kale, spinach, and other similar leaf vegetables shall be sold at retail by net weight.

Mr. MAPES. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, line 8, after the word "vegetables" insert "and other dry commodities."

The question was taken, and the amendment was agreed to.

Mr. WALSH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, line 8, strike out lines 8 to 25, inclusive, and lines 1 to 4 on page 13.

Mr. WALSH. Mr. Chairman, this language which I seek to strike out is the language of the act fixing the standard barrels for fruits, vegetables, and other dry products, which passed March 4, 1915, and which is in effect and applies specifically by the provisions of the act to the District of Columbia. I can not quite see why it should be reenacted in this measure, because it applies here now and will apply hereafter, and if the gentleman desires to fix a standard for other dry commodities I submit that by eliminating this paragraph (a) and enacting the balance of the language of the section that he has taken care of the situation, but certainly it adds nothing to just reenact something that is already the law. It seems to me that it would be better to rely upon the standard vegetable barrel act that has already been enacted; so I would like to ask the gentleman, the chairman of the committee, if he thinks there is any serious objection to eliminating this language from the bill?

Mr. MAPES. Mr. Chairman, of course it is not very important if the law already applies in this language to the District of Columbia, but it does no harm one way or the other, it seems to me.

Mr. WALSH. I will say to the gentleman, I have here before me, in volume 38 of the Statutes at Large, section 2, the standard



which is fixed in the language as contained in the bill. It is as follows:

It shall be unlawful to sell, offer, or expose for sale in any State, Territory, or the District of Columbia, or to ship from any State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia, or to a foreign country, a barrel containing fruit or vegetables, or any other dry commodity, of less capacity than the standard barrel defined in the first section of this act.

And so forth.

Mr. MAPES. I will say to the gentleman it has been my understanding that this was the national law. The language is supposed to be the same as contained in the national act.

Mr. BLANTON. Will the gentleman from Massachusetts yield?

Mr. WALSH. Certainly.

Mr. BLANTON. What is meant by the term "and other dry commodities?"

Mr. WALSH. In this act it means grapes, and so forth.

Mr. BLANTON. Is it confined to fruits and vegetables?

Mr. WALSH. And products that are sold in baskets or barrels and containers.

Mr. BLANTON. The gentleman from South Carolina suggested a moment ago that it might be broad enough to embrace the CONGRESSIONAL RECORD.

Mr. MANN of Illinois. Well, if it was put up in barrels.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. WALSH].

Mr. GARRETT. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from Michigan [Mr. MAPES] a question. Do these standards fixed here harmonize throughout with the Federal laws for the country generally, in so far as Federal laws have been passed?

Mr. MAPES. In so far as Federal laws have been passed they do. There are quite a number of cases where the Federal Government has not covered the subject. In those cases the provisions of this bill follow some of the State laws and are recommended by the Department of Agriculture and the Bureau of Standards.

Mr. GARRETT. Well, now, I had in mind, for instance, this specific situation: In my section of the country the sweet potato industry has in recent years become a very extensive one. There is a fixed size for the hampers in which potatoes are shipped.

Mr. MAPES. Which paragraph is the gentleman referring to?

Mr. GARRETT. Really I am just speaking generally of this act. The potatoes are shipped from the market there in hampers of a certain size. I do not know whether there is a Federal statute fixing the size of those hampers or not. I know that under a Federal law the quantity contained in the hamper has to be stamped upon it. I know that the hamper is supposed to contain a certain number of pounds. As I started to say, the custom is to ship these in the hampers, and those hampers, of course, go from the jobber in the city to which they are shipped to the retailer. Now, the question is, if you fix the size of a container here in which they may be sold in the District of Columbia and that does not happen to harmonize with the hamper in which they are shipped from the place of production, it seems to me it would bring about a great deal of inconvenience.

Mr. MAPES. There is a separate paragraph here that applies to potatoes, I will say to the gentleman, and requires that if they are sold in sacks the sacks shall contain 60 or 90 pounds.

Mr. GARRETT. Well, in the particular section with which I am familiar the potatoes are sold in hampers and are not shipped in sacks. I am speaking of the sweet potato.

Mr. MAPES. I do not see the language to which I was referring, but it is here somewhere.

Mr. GARRETT. You have a provision here, on page 15, as follows:

The standard hampers for fruits and vegetables shall be the 1-peck hamper, one-half bushel hamper, 1-bushel hamper, and 1½-bushel hamper.

I assume that would apply to potatoes. I do not know that any potatoes are shipped from my section to the District of Columbia, but I am saying this to illustrate the point.

Mr. MAPES. The purpose of that is not to cover commodities that come from other States, but that are sold and measured here in the District, and it aims to do away with a lot of the small and different shaped containers that are now used.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. GARRETT. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MAPES. This exhibit, to which I have referred before and which was taken by the Department of Agriculture, contains the pictures of a lot of different containers, of varying sizes and construction. The purpose of this section is to do

away with those and to establish a standard one-half bushel, 1-bushel, and 1½-bushel measure.

Mr. GARRETT. Well, I do not know whether I made myself clear or not. The point is this: I know that in the case of sweet potatoes they are shipped in hampers. They look something like the photographs on the sheet the gentleman has. Under the Federal law the content must be stamped upon the hamper.

Mr. MANN of Illinois. That is under the pure-food law.

Mr. GARRETT. Well, perhaps it is. Now, those hampers are worth this year 20 cents. That is what the basket or hamper costs. Now, they are shipped in that size. If you fix a different size here in the District of Columbia, then those hampers are worthless when they come here. If they are different, if the retail man can not take the hampers in which they come and sell the potatoes from those hampers, but must change them to another, there is a loss of 20 cents on every hamper.

Mr. MADDEN. Will the gentleman yield?

Mr. MAPES. I think that it is one of the objects of the bill to do away with the different sized hampers.

Mr. MADDEN. The thing that occurs to me in connection with this whole business is this: The gentleman from Michigan says it is not necessary to ship them in any particular kind of a carton or hamper into the District, but the bill requires the man who sells them in the District, after they get into the District, to put them into one of these hampers, and, of course, that adds to the cost. He can not sell them without putting them into the hamper prescribed. Of course, it amounts to an outrage to do this.

Mr. GARRETT. I will say to the gentleman that when I was at home recently sweet potatoes were in the local markets at that time, and the potatoes were selling for 50 cents, and the hampers were worth 20 cents, although the potatoes are worth two or three dollars a bushel here now.

Mr. MAPES. What is the capacity of that hamper?

Mr. GARRETT. It is not quite a half bushel. It is of a fixed size, and the content of the hamper must be stamped on the hamper before it is shipped. I do not know that any sweet potatoes are shipped from my section into the District of Columbia, but I know they are shipped to the East, particularly to Boston, and so on. I hope you are not bringing about a situation here that will destroy the value of the hamper, because the hamper is worth nearly half as much right now as potatoes.

Mr. MAPES. What we are trying to do here—

Mr. MADDEN. Is to make two hampers instead of one—

Mr. MAPES. Is not to get an additional hamper. The gentleman from Illinois [Mr. MADDEN] is mistaken about that. What we are trying to do is to assure the customer here, when he buys a bushel of potatoes, that he will get what he pays for—that those potatoes will be measured by a standard bushel basket and not by a hamper such as the gentleman from Tennessee [Mr. GARRETT] or the gentleman from Illinois [Mr. MADDEN] has in mind.

Mr. GARRETT. Let me say to the gentleman that the content of the hamper which is shipped in interstate commerce is marked plainly on it now, under the Federal law, the pure-food law. So long as it is in the original package the content would be known to the customer, because he could look at the top and see.

Mr. McLAUGHLIN of Michigan rose.

Mr. MADDEN. Mr. Chairman, I move to strike out the section.

The CHAIRMAN. The gentleman from Michigan [Mr. McLAUGHLIN] is recognized.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, it seems to me the trouble the gentleman from Tennessee [Mr. GARRETT] speaks of will arise under this bill. The law cited by the gentleman from Massachusetts [Mr. WALSH] is a law passed some years ago fixing the standard measure of several different kinds of containers. As far as that law goes, and only as to containers named in that law, has the size and capacity of containers been fixed by Federal law, and they have been quite generally, or perhaps universally, accepted and adopted. They have, I think, been adopted by the laws of most of the States. But there are a number of measures, a number of kinds of containers, that are not mentioned in the law referred to by the gentleman from Massachusetts [Mr. WALSH]; their size and capacity have not been fixed by that statute. If the bill we have before us deals with none other than those that are dealt with in the law now in force, or deals with none other than those that are in universal use throughout the country, no trouble will arise. But it seems to me that this bill does deal with a lot of containers the capacity of which, the size and shape of which, have not been determined by Federal law nor have they been accepted by all the States. And shipments of products into the District of Columbia coming from a State in containers contrary to this bill, although of size

and style and capacity approved by the laws of that State, can not be sold or exposed for sale here in the containers in which they arrive.

Mr. MAPES. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. MAPES. Would the gentleman wait until every State in the Union had passed a law before protecting the inhabitants of the District of Columbia?

Mr. McLAUGHLIN of Michigan. Oh, I believe in universal standards in these matters, but I doubt if this bill as now before us is altogether a protection to the people of the District of Columbia.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Suppose from the State of Tennessee comes a container with so many pounds of sweet potatoes in it, the container being plainly marked, the capacity, size, and form of the container being legal and proper as fixed by law by the State of Tennessee and as used there, a legal container; a shipment of potatoes in such a container is made to the city of Washington, with the number of pounds plainly marked. If such container differs in any respect from the containers described in this bill, those sweet potatoes in the container could not be exposed for sale in the city of Washington, although the number of pounds is clearly marked on the container. There is no way by which the purchaser could be deceived. If this bill becomes law, those potatoes must be taken from the container coming from the State of Tennessee and put in one of the containers described in this bill. Unless the containers are of the style, size, and capacity already fixed by Federal law, and therefore accepted and universally in use throughout the country, it seems to me we are treading on dangerous ground in enacting this law. I feel it will be imposing a burden not only upon those who produce the products in other States, upon those who ship them to the District of Columbia, but also upon the merchants here. In the end the trouble and expense will fall upon the consumers, the people of the District. It is intended by this bill to protect them from fraud and expense, but I fear instead we are imposing trouble and expense upon them.

Mr. MADDEN. Mr. Chairman, I move to strike out the section.

Mr. BANKHEAD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BANKHEAD. What became of the amendment offered by the gentleman from Massachusetts [Mr. WALSH]? Is not that to be voted on now?

The CHAIRMAN. The amendment of the gentleman from Massachusetts is pending.

Mr. BANKHEAD. I think we ought to have a vote on that amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] now moves to strike out the section. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Beginning on page 12 strike out all of section 15.

Mr. MADDEN. Mr. Chairman, I simply wish to call the attention of the committee to my interpretation—

The CHAIRMAN. The vote will first come on the amendment offered by the gentleman from Massachusetts.

Mr. MADDEN. Does the Chair rule that I can not debate this now?

The CHAIRMAN. The gentleman may debate it.

Mr. MADDEN. My interpretation of the section that I move to strike out is that if I were a truck gardener raising potatoes or any vegetables or fruits outside the District of Columbia, and came here with a wagonload loose, and came down here to the market, I could not sell them to consumers in the District of Columbia without putting them into one of the containers provided in this bill. Now, of course, that means an additional expense to the purchaser, and instead of surrounding the people of the District of Columbia with safeguards against those who seek to impose upon them you are giving all kinds of monopolies the right to impose upon the people. So I say that this section of the bill, instead of doing what it purports to do, does exactly the reverse of that. Why, a man might ship a carload of potatoes from Illinois or Michigan, for example, from the State where the distinguished chairman of this committee [Mr. MAPES] lives, and that is one of the great potato States of the Union. One of the gentleman's constituents might have worked hard all summer to raise these potatoes with a view to placing them on the market in the District of Columbia, thereby giving the people who bask in the sunshine of the Capital something to eat which they could not otherwise obtain, and they would not be permitted to buy these potatoes, the best in the world, coming from Michigan, raised in the sands along the shores of Lake Michigan, flavored by the breezes blown across the

lake. So the Michigan farmer who has gone to all the trouble of raising these potatoes and bringing them all the way to the District of Columbia finds himself handicapped by one of his own Representatives here, the gentleman from Michigan [Mr. MAPES], chairman of this great Committee on the District of Columbia, preventing him from selling potatoes which he went to so much trouble and expense to raise, unless they are willing to pay for an additional container.

Mr. BLANTON. Will the gentleman yield?

Mr. MADDEN. Certainly.

Mr. BLANTON. That is no worse than the condition with regard to flour. On the top of page 18 of this bill it provides that a barrel of flour shall be 196 pounds in the District of Columbia.

Mr. MADDEN. That is less than it is to be anywhere else.

Mr. BLANTON. Under the bill which we passed this very morning, everywhere in the United States flour must be sold in amounts of 100 pounds or 200 pounds. You can not sell 196 pounds of flour elsewhere, as you can in the District of Columbia.

Mr. MADDEN. Now, we come to the question whether the people of the District of Columbia are considered residents of the United States, whether as residents of the United States they are entitled to any protection from the Congress of the United States, and whether the people of Michigan, the greatest potato raisers in all the world, are to be mulcted out of the profits that they otherwise might be able to make, by being compelled to buy containers before they can sell the potatoes which they bring into this territory.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. WOODS of Virginia. Mr. Chairman, I hope the amendment offered by the gentleman from Massachusetts [Mr. WALSH] will not prevail. I appreciate his purpose in offering it, because it is simply a reenactment of the existing law as to the standard fruit and vegetable barrel; but the committee acted advisedly in this matter, knowing that they were reenacting the existing law, because they wanted to have a comprehensive statute fixing these standards, so that the inspectors and those who have to do with the enforcement of this law would have the entire law before them in one act. That was the reason for it. I do not think it is a matter of great importance.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. WOODS of Virginia. I yield to the gentleman from Illinois.

Mr. MANN of Illinois. The language of the law and the bill are the same as to this particular proposition; but the gentleman knows that it is necessary to have somebody with authority to fix tolerances as to the sizes of barrels, I take it. Now, the law applicable everywhere else and also applicable in the District of Columbia now provides that these tolerances and variations shall be fixed by the Bureau of Standards under the Department of Commerce, while this bill proposes to authorize the District Commissioners to fix the tolerances. Does my friend from Virginia think it is desirable for Congress to provide a standard of weights and measures which shall be in force everywhere in the United States except in the place where Congress has plenary power—in the District of Columbia?

Mr. WOODS of Virginia. I will say to the gentleman that I think the officers enforcing the law in the District of Columbia ought to have authority to regulate tolerances as well, because the whole statute comes before that inspector, and he can enforce the entire law.

Mr. MANN of Illinois. Of course, then that makes the law applicable outside of the District vary from the law inside of the District.

Mr. WOODS of Virginia. Vary slightly, but it does not vary except as to the manner of its execution, and as to that I think we ought to have the whole law before the inspector without requiring his resort to a general statute.

Mr. MANN of Illinois. Mr. Chairman, in the first place, I am very much in sympathy with the purpose of this bill. I think it is highly desirable as far as possible that the law should be codified and made uniform and explicit, so that people who sell commodities may know that they are within the law and people who buy may know the amount that they are getting.

But here is a proposition offered by the amendment proposed by the gentleman from Massachusetts. We have a national law, only recently passed, fixing the standard size of barrels for fruits, vegetables, and other dry commodities other than cranberries. That is the act approved March 4, 1915, not so very long ago. Now, as to the size of barrels, it was the purpose of the committee to have this act simply copy the present law. I can sympathize with the view they had in mind to have a whole law before the inspectors in one act, although it is quite as easy



to print a copy of the national law as it would be to insert this section in this bill. But here is the difficulty. You have got to have some provision for variations or tolerances when you fix the size of packages. The present national law provides that a reasonable variation shall be permitted and tolerances shall be established by rules and regulations made by the Director of the Bureau of Standards and approved by the Secretary of Commerce. Under that law they have fixed tolerances and reasonable variations that shall be allowed. This bill proposes that the District Commissioners shall fix the tolerances. It may be that they will fix the tolerances and variations the same as they have been fixed by the Director of the Bureau of Standards and the Department of Commerce, but they are not required to. Suppose they do not. Then we would be put in the anomalous position that the Congress of the United States, having exclusive jurisdiction of legislation in the District of Columbia, have provided a general law applicable outside of the District, where it is doubtful if we ought to exercise the power, fixing standards on one basis, and then inside the District standards of a different basis. It is unthinkable to me that a sensible body should establish such legislation. There is no harm in leaving this provision out of the bill, which is in the law now.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GARRETT. I ask that the gentleman from Illinois have two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GARRETT. I should like to ask the gentleman while he is on the floor for his opinion as to the effect of this legislation on the containers in which products are shipped, where they do not happen to conform to the size laid down in this bill for the District.

Mr. MANN of Illinois. In the first place, as a matter of practice, unless I am mistaken, all of these things are taken out of the containers where they are shipped from outside into the city.

But I do not think there is any difficulty in people complying with the requirements as provided here. If, for instance, they ship sweet potatoes from the gentleman's district, they undoubtedly have hampers of a certain size, or various sizes—

Mr. GARRETT. It is a standard size.

Mr. MANN of Illinois. The standard size recognized in the East is based on the bushel basket.

Mr. GARRETT. I think these hampers are 90-pound hampers.

Mr. MANN of Illinois. I think the standard is usually based in the East on the bushel. But I do not think there is any difficulty even if the dealers have to get a few new hampers.

Mr. GARRETT. I suppose they could be retained in these hampers even if the hampers did not conform to the hampers provided here, and they could be sold from those hampers by weight or numerical count. I assume that to be true from the language on page 16, but I doubt whether they could be sold in the hampers themselves unless they happen to conform to the standards in the bill.

Mr. MANN of Illinois. There is no possible way of fixing the standard sizes for anything—

Mr. GARRETT. Without tolerances.

Mr. MANN of Illinois. Without cutting out some things in existence. Of course, it would be a desirable thing to get the same standards if possible all over the country.

Mr. MADDEN. Mr. Chairman, it is manifest that there is no quorum present, and that this bill can not be finished to-night. I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Illinois makes the point of order that there is no quorum present.

Mr. MAPES. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CAMPBELL of Kansas, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 8067) to establish standard weights and measures for the District of Columbia, to define the duties of the superintendent of weights, measures, and markets of the District of Columbia, and for other purposes, and had come to no resolution thereon.

#### ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 1300. An act to authorize the sale of certain lands at or near Minidoka, Idaho, for railroad purposes.

#### LEAVES OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. McKEOWN, indefinitely, on account of illness (at the request of Mr. HASTINGS).

To Mr. HOCH, on account of illness (at the request of Mr. TINCER).

#### ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 58 minutes p. m.) the House adjourned until to-morrow, Tuesday, December 9, 1919, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting a tentative draft of a bill to provide additional hospital and out-patient dispensary facilities for all discharged, sick, and disabled soldiers, sailors, marines, Army and Navy nurses (male and female), and for other purposes, together with statement of the needs of the enactment of such legislation by the Surgeon General of the Public Health Service (H. Doc. No. 481); to the Committee on Public Buildings and Grounds and ordered to be printed.

2. A letter from the chairman of the National Advisory Committee for Aeronautics, transmitting the fifth annual report of the National Advisory Committee for Aeronautics, including statement of its expenditures for the fiscal year 1919 (S. Doc. No. 166); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of communication from the Acting Secretary of Commerce, reporting claim of Metropolitan Coal Co. for damage to wharf on April 10, 1917 (H. Doc. No. 482); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation for 30 additional money counters for the office of the Comptroller of the Currency (H. Doc. No. 483); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Patent Office for the fiscal year 1920 (H. Doc. No. 484); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting detailed statement of all receipts and expenditures under the war-risk insurance act during the fiscal year 1919 (H. Doc. No. 485); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

7. A letter from the Attorney General, transmitting his annual report to Congress (H. Doc. No. 412); to the Committee on the Judiciary and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GRIGSBY, from the Committee on the Territories, to which was referred the bill (H. R. 10746) to authorize the incorporated town of Wrangell, Alaska, to issue bonds for the construction, enlargement, and equipment of schools, the acquisition and construction of a water-supply system, the construction of a sewer system, the construction of a city dock and a floating dock, and to levy and collect a special tax therefor, reported the same with amendments, accompanied by a report (No. 480), which said bill and report were referred to the House Calendar.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 2796) granting an increase of pension to Elijah Parrish; Committee on Pensions discharged and referred to the Committee on Invalid Pensions.

A bill (H. R. 6928) granting a pension to Agnes Eugenia Dinsmoor; Committee on Pensions discharged and referred to the Committee on Invalid Pensions.

A bill (H. R. 7692) granting a pension to Elizabeth Cravens; Committee on Pensions discharged and referred to the Committee on Invalid Pensions.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. QUIN: A bill (H. R. 10959) for the enlargement of the Federal building and site at Natchez, Miss.; to the Committee on Public Buildings and Grounds.

By Mr. ANTHONY: A bill (H. R. 10960) to limit the size of newspapers and periodicals entitled to the privileges of the second-class mail rate; to the Committee on the Post Office and Post Roads.

By Mr. KING: A bill (H. R. 10961) granting pensions to certain soldiers and sailors of the Civil War; to the Committee on Invalid Pensions.

By Mr. GANDY: A bill (H. R. 10962) to authorize the sale of Indian Reservation and Agency buildings and lands not longer needed for administrative purposes; to the Committee on Indian Affairs.

By Mr. DOMINICK: A bill (H. R. 10963) granting the consent of Congress for the construction of a bridge across the Savannah River at or near Haileys Ferry, and between the counties of Anderson, S. C., and Hart, Ga.; to the Committee on Interstate and Foreign Commerce.

By Mr. HAYDEN: A bill (H. R. 10964) to amend the Federal aid road act approved July 11, 1916; to the Committee on Roads.

By Mr. HICKEY: A bill (H. R. 10965) to amend section 8 of the act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors and for regulating traffic therein, and for other purposes," approved June 30, 1906; to the Committee on Interstate and Foreign Commerce.

By Mr. CALDWELL: A bill (H. R. 10966) authorizing the Secretary of War to donate to the Ridgewood Memorial Committee, of Ridgewood, Long Island, N. Y., three German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. MINAHAN of New Jersey: A bill (H. R. 10967) to provide for an examination and survey of Newark Bay, the Passaic and Hackensack Rivers, in the State of New Jersey; to the Committee on Rivers and Harbors.

By Mr. HARDY of Colorado: A bill (H. R. 10968) providing for the disposition of the present site and the acquisition of a new site and the erection of a public building thereon at Canon City, Colo.; to the Committee on Public Buildings and Grounds.

By Mr. PLATT: A bill (H. R. 10969) for the reduction of the weight of subsidiary silver coinage; to the Committee on Coinage, Weights, and Measures.

By Mr. STEENBERSON: A bill (H. R. 10970) to authorize the acquisition of a site and the erection of a Federal building at Detroit, Minn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10971) to authorize the acquisition of a site and the erection of a Federal building at Thief River Falls, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. CRAMTON: A bill (H. R. 10972) to require and empower boards of examining surgeons under the Commissioner of Pensions to make examinations for the Bureau of War Risk Insurance and the Federal Board for Vocational Education; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMS: Resolution (H. Res. 413) to allow the chairman of the Committee on Expenditures in the Department of Commerce to appoint a clerk to said committee; to the Committee on Accounts.

By Mr. LAYTON: Joint resolution (H. J. Res. 257) authorizing the Secretary of War to dispose of surplus Army and medical supplies; to the Committee on Military Affairs.

By the SPEAKER: Memorial from the Nobel Committee of the Norwegian Parliament respecting the proposal of candidates for the Nobel Peace Prize to be distributed December 10, 1920; to the Committee on Foreign Affairs.

By Mr. BRAND: Memorial from the Legislature of the State of Georgia to cede military reservation to the State of Georgia; to the Committee on Military Affairs.

## PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 10973) granting an increase of pension to L. W. Severus; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10974) granting an increase of pension to Samuel Gilbert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10975) granting an increase of pension to Samuel J. White; to the Committee on Invalid Pensions.

By Mr. BLAND of Missouri: A bill (H. R. 10976) granting a pension to Rose A. Woods; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 10977) granting a pension to Ann Van Fleet; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10978) granting a pension to Rebecca E. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10979) granting an increase of pension to James F. Jones; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 10980) granting a pension to Harriett A. Lake; to the Committee on Invalid Pensions.

By Mr. DUNBAR: A bill (H. R. 10981) granting an increase of pension to Thomas W. Sample; to the Committee on Invalid Pensions.

By Mr. ELLIOTT: A bill (H. R. 10982) granting a pension to Leonidas Duncan; to the Committee on Pensions.

By Mr. IRELAND: A bill (H. R. 10983) granting an increase of pension to Murray A. Ringland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10984) for the relief of Ira M. Buckingham; to the Committee on Claims.

By Mr. JOHNSTON of New York: A bill (H. R. 10985) for the relief of Mrs. George E. Ruppert; to the Committee on Claims.

By Mr. KEARNS: A bill (H. R. 10986) granting an increase of pension to John B. Gillaspie; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 10987) granting an increase of pension to James D. Lafferty; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10988) granting a pension to Martha I. Sexton; to the Committee on Invalid Pensions.

By Mr. MACCRATE: A bill (H. R. 10989) for the relief of the owner of a drill boat known as drill boat No. 3 and a dredge known as dredge No. 9; to the Committee on Claims.

By Mr. MAPES: A bill (H. R. 10990) granting an increase of pension to Ida L. Crandell; to the Committee on Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 10991) granting a pension to John W. Mercer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10992) granting a pension to Seymour J. Hathaway; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10993) granting a pension to Samuel H. Neese; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10994) granting a pension to Julia Knox; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 10995) granting a pension to Joseph Doyle; to the Committee on Pensions.

By Mr. RHODES: A bill (H. R. 10996) granting a pension to Sarah A. Atchison; to the Committee on Invalid Pensions.

By Mr. RICKETTS: A bill (H. R. 10997) granting an increase of pension to Jonathan Wolfe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10998) granting an increase of pension to Gustav Hamberger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10999) granting an increase of pension to Nicholas Scholl; to the Committee on Invalid Pensions.

By Mr. SCHALL: A bill (H. R. 11000) granting an increase of pension to William H. Hanson; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 11001) granting an increase of pension to John Bennett; to the Committee on Pensions.

Also, a bill (H. R. 11002) granting an increase of pension to Samuel Frazier; to the Committee on Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 11003) granting a pension to Jack Hurley; to the Committee on Pensions.

Also, a bill (H. R. 11004) to grant certain lands to the village of Downey, State of Idaho, for the protection of its water supply; to the Committee on the Public Lands.

By Mr. SHREVE: A bill (H. R. 11005) granting a pension to Bridget E. Reid; to the Committee on Pensions.

Also, a bill (H. R. 11006) granting a pension to Augustus O. Hartel; to the Committee on Pensions.

By Mr. TILLMAN: A bill (H. R. 11007) granting a pension to Mary M. Newman; to the Committee on Pensions.

By Mr. TREADWAY: A bill (H. R. 11008) granting a pension to Edwin E. Warren; to the Committee on Invalid Pensions.

By Mr. WILSON of Louisiana: A bill (H. R. 11009) granting an increase of pension to George Wallace Paul; to the Committee on Pensions.



## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

136. By the SPEAKER (by request): Petition of First National Labor Party Convention and other citizens, regarding the rights of citizens to strike; to the Committee on the Judiciary.

137. Also, petition of department executive committee of the District of Columbia department of the American Legion, condemning speech uttered by Victor L. Berger; to the Committee on the Judiciary.

138. Also, petition of employees of the United States Railroad Administration, Pullman car lines, East St. Louis, Mo., and Brotherhood of Railway Conductors of American, Local 605, opposing Cummins and Esch bills; to the Committee on Interstate and Foreign Commerce.

139. Also, petition of the American Mining Congress, Washington, D. C., urging protection for the United States citizens in foreign countries; to the Committee on Foreign Affairs.

140. Also, petition of national convention, Patriotic Order Sons of America, held in Jacksonville, Fla., presenting resolutions on the high cost of living and the Mexican situation; to the Committee on Interstate and Foreign Commerce.

141. Also, petition of sundry citizens of New York City, white and colored, urging that the death sentence imposed on 11 negroes in Arkansas be stayed; to the Committee on the Judiciary.

142. Also, petition of Church of Christ (Disciple), urging the granting of full American citizenship to all American Indians; to the Committee on the Judiciary.

143. Also, petition of Military Order of the Loyal Legion of the United States, District of Columbia, urging passage of the Raker and Townsend bills; to the Committee on Military Affairs.

144. By Mr. CLARK of Florida: Petition of United Daughters of the Confederacy, seeking ratification of league of nations and treaty of peace; to the Committee on Foreign Affairs.

145. By Mr. DARROW: Petition of National Camp, Patriotic Order Sons of America, in behalf of strictest economy by all branches of the Government and demobilization of national troops detained in camps; to the Committee on Military Affairs.

146. Also, petition of National Camp, Patriotic Order Sons of America, regarding Mexican situation; to the Committee on Foreign Affairs.

147. By Mr. ESCH: Petition of National Camp, Patriotic Order Sons of America, regarding Mexican situation; to the Committee on Foreign Affairs.

148. Also, petition of National Camp, Patriotic Order Sons of America, regarding the high cost of living; to the Committee on Military Affairs.

149. Also, petition of Turlock Board of Trade, of Turlock, Calif., regarding Japanese immigration; to the Committee on Immigration and Naturalization.

150. Also, petition of Wisconsin Women's Temperance Union, urging passage of H. R. 8063; to the Committee on Foreign Affairs.

151. Also, petition of sundry citizens of Reedsburg, Wis., commending Congress for rejecting the league of nations; to the Committee on Foreign Affairs.

152. Also, petition of Elroy Lodge, No. 473, Brotherhood of Railway Conductors of America, opposing Cummins and Esch bills; to the Committee on Interstate and Foreign Commerce.

153. Also, petition of American Public Health Association, regarding Public Health salaries; to the Committee on Interstate and Foreign Commerce.

154. By Mr. FULLER of Illinois: Petition of Paris Lodge, No. 812, Benevolent and Protective Order of Elks, concerning deportation of undesirable aliens; to the Committee on Foreign Affairs.

155. Also, petition of L. C. West, of Chicago, and G. W. Carlson, of Waukegan, Ill., favoring H. R. 4987; to the Committee on Military Affairs.

156. Also, petition of George Washington Brown, president of the Maimed Soldiers' League, favoring greater increase in pensions to maimed soldiers of the Civil War; to the Committee on Invalid Pensions.

157. Also, petition of Farragut Post, No. 25, Nebraska; Morton Post, No. 1, Indiana; General Lander Post, No. 5, Massachusetts, Grand Army of the Republic, all favoring Fuller pension bill; to the Committee on Invalid Pensions.

158. By Mr. HUTCHINSON: Resolution adopted by the National Camp, Patriotic Order Sons of America, urging the employment of the full force of the United States, if necessary, for the protection of American citizens and property from the intolerable outrages being perpetrated by the Mexicans; to the Committee on Foreign Affairs.

159. Also, resolution adopted by the National Camp, Patriotic Order Sons of America, urging the strictest economy in all branches of the Government, the demobilization of all emergency troops, and the revoking of all war powers over business and prices as a remedy for the high cost of living; to the Committee on Interstate and Foreign Commerce.

160. By Mr. LINTHICUM: Petition of Headquarters Post, No. 8, American Legion, of Baltimore, Md., demanding deportation of alien reds; to the Committee on the Judiciary.

161. Also, petition of sundry citizens of Maryland, favoring additional bonus of \$360 to each soldier and sailor who served in the recent war; to the Committee on Military Affairs.

162. Also, petition of R. J. White, of Baltimore, Md., opposing any bill for universal military training; to the Committee on Military Affairs.

163. Also, petition of Baltimore Yearly Meeting of Friends (Orthodox), opposing universal military training; to the Committee on Military Affairs.

164. Also, petition of E. E. Jackson Lumber Co., of Baltimore, Md., regarding railroad legislation; to the Committee on Interstate and Foreign Commerce.

165. Also, petition of James Edgar Potts Post, No. 2, American Legion, favoring immediate deportation of alien reds; to the Committee on the Judiciary.

166. Also, petition of C. W. Braun, of Baltimore, Md., favoring bonus for soldiers; to the Committee on Military Affairs.

167. Also, petition of J. W. Downs, of Baltimore, Md., favoring universal military training; to the Committee on Military Affairs.

168. By Mr. MOORE of Pennsylvania: Petition of National Camp, Patriotic Order Sons of America, urging that steps be taken to reduce the high cost of living; to the Committee on Interstate and Foreign Commerce.

169. Also, petition of National Camp, Patriotic Order Sons of America, regarding Mexican situation; to the Committee on Foreign Affairs.

170. By Mr. MORIN: Petition of the National Camp, Patriotic Order Sons of America, urging, in view of the number of Americans killed, captured, and held for ransom in Mexico, that the Government employ its full force, if necessary, for the protection of the persons and property of American citizens wherever they may be, even though the result be war; to the Committee on Foreign Affairs.

171. Also, petition of the National Camp of the Patriotic Order Sons of America, urging immediate steps be taken for the reduction of the high cost of living and every effort made to restore business and industry to its prewar status; to the Committee on Interstate and Foreign Commerce.

172. By Mr. SCHALL: Petition of American Legion Post, No. 260, of Monticello, Minn., demanding legislation to rid the country of Industrial Workers of the World; to the Committee on the Judiciary.

173. Also, petition of North Branch and Monticello (Minn.) Posts of the American Legion demanding legislation to rid the country of Industrial Workers of the World; to the Committee on the Judiciary.

174. By Mr. SMITH of Idaho: Petition of Commercial Club, of Blackfoot, Idaho, urging completion of the Fort Hall irrigation project; to the Committee on Indian Affairs.

175. Also, petition of American Legion of St. Anthony, Idaho, for legislation providing for homes for soldiers, sailors, and marines; to the Committee on the Public Lands.

176. Also, petition of American Legion of St. Anthony, Idaho, for legislation providing for payment of war-risk insurance in lump sum; to the Committee on Interstate and Foreign Commerce.

177. Also, petition of American Legion of St. Anthony, Idaho, for legislation providing for deportation of disloyal aliens; to the Committee on Immigration and Naturalization.

178. Also, memorial of Brotherhood of Locomotive Engineers, of Glens Ferry, Idaho, opposing Cummins bill; to the Committee on Interstate and Foreign Commerce.

179. By Mr. WATSON of Pennsylvania: Petition of National Convention, Patriotic Order Sons of America, relative to the high cost of living; to the Committee on Military Affairs.

180. Also, petition of National Convention, Patriotic Order Sons of America, relative to the Mexican situation; to the Committee on Foreign Affairs.